

# On the Frontlines: Peasant Women and Land Reform Struggles in the Philippines



Cynthia Embido Bejeno

*KP women leaders and members during peasants' mobilization for CARP extension at Mendiola in 2008.*



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# **On the Frontlines: Peasant Women and Land Reform Struggles in the Philippines**

## **In de frontlinie: Vrouwelijke landarbeiders en de strijd om landhervorming in de Filippijnen**

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*To all the heroines and heroes of agrarian struggles, in the past, present and future.  
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## Acronyms

ARB	Agrarian Reform Beneficiaries
ARC	Alliance for Rural Concerns
BGLF	Bureau of Local Government Finance
CARL	Comprehensive Agrarian Reform Law
CARP	Comprehensive Agrarian Reform Program
CARPER	Comprehensive Agrarian Reform Program' Extension with Reforms
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CBCP	Catholic Bishops' Conference of the Philippines
CLOA	Certificate of Landownership Award
CPP	Communist Party of the Philippines
DALUYONG	Daluyan at Ugnayan ng mga Organisasyong Pangkababaihan
DAR	Department of Agrarian Reform
DARCO	Department of Agrarian Reform Central Office
DARAB	Department of Agrarian Reform Adjudication Board
DILG	Department of Interior and Local Government
DSWD	Department of Social Welfare and Development
EP	Emancipation Patent
FARBA	Filomina Agrarian Reform Beneficiaries Association
FB	Farmers Beneficiaries
FIAN	Food First International Network, Philippines
GABRIELA	General Assembly Binding Women for Reform
GAD	Gender and Development
KABAPA	Kalipunan ng Bagong Pilipina (Association of New Filipina)
KALAYAAN	Kalipunan ng Kababaihan para sa Kalayaan

KAMMPIL	Katipunan ng mga Maliliit na Magniniyog sa Pilipinas (Federation of Small Coconut Farmers and Farmworkers of the Philippines)
KMP	Kilusang Magbubukid ng Pilipinas (National Peasant Movement)
KMPCI	Kaisahan sang Mangunguma sa Programa sa CARP (Unity of Farmers in CARP Program), Inc.
KP	Kababaihan-Pilipinas (Rural Women's Movement for Development or Women-Philippines)
LAM	Land Administration and Management
LGU	Local Government Unit
MACARADE	Masbate Center for Rural Development and Empowerment
MAKIBAKA	Malayang Kilusan ng Bagong Kababaihan
MFDC	Mindanao Farmers' Development Center
NASSA	National Secretariat for Social Action
NCPERD	Negros Center for People Empowerment and Rural Dev't.
NCRFW	National Commission on the Role of Filipino Women
NGA	National Government Agencies
NGO	Non-government Organization
NPA	New People's Army
NOFFA	Negros Occidental Federation of Farmers Association
PAL	Private Agricultural Lands
PARAD	Provincial Agrarian Reform Adjudication Board
PARC	Presidential Agrarian Reform Council
PARO	Provincial Agrarian Reform Officer
PARRDS	Partnership for Agrarian Reform and Rural Dev't. Services
PCW	Philippine Commission on Women
PDPW	Philippine Development Plan for Women
PEACE	Philippine Ecumenical Action for Community Empowerment
PILIPINA	Kilusan ng Kababaihang Pilipina
PKKK	Pambansang Koalisyon ng mga Kababaihan sa Kanayunan (National Rural Women Coalition)
PKSK	Pambansang Kilusan ng mga Samahan sa Kanayunan (National Federation of Organizations in the Countryside)

PNP	Philippine National Police
PO	People's Organization
SARACOBA	San Roque Beneficiaries Association
SARILAYA	Kasarian-Kalayaan
SAMFAI	Samahan ng mga Anak ng Magsasaka ng Famosa (People's Organization of Farmers' Children in Famosa)
SDO	Stock Distribution Option
SIBOL	Sama-samang Inisyatiba ng Batas at Lipunan
SSS	Social Security System
TFM	Task Force Mapalad
TICAO	Ticao-Agro-Industrial Development Incorporated
UNORKA	Pambansang Ugnayan ng mga Nagsasariling Lokal na Organisasyon sa Kanayunan (or National Coordination of Autonomous Rural People's Organizations)
VAW	Violence Against Women
VLT	Voluntary Land Transfer
VOS	Voluntary Offer to Sell





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## Abstract

In many agrarian communities in the Philippines, the failure of land reform completion continues to inspire the peasant movement, in many cases led by peasant women. Agrarian communities organize themselves to assert their rights and demand justice. Women are often on the front lines employing different strategies, including rightful resistance, to achieve immediate access to and control over the agrarian covered or redistributed land. This study, however, found that the women's strategic gender interests, though equally crucial to advance land reform and achieve integrated justice, are often overshadowed by class-based concerns and not given adequate attention.

Employing the integrated justice framework (Fraser, 1999, 2005), this study critically interrogates the agrarian praxis in the country and how peasant women in two agrarian communities amplified (or silenced) not only land redistribution, but also the recognition of their land rights and other gender-based issues as they led the land struggles in their communities. Based on fieldwork in the country and in two agrarian communities in the provinces of Masbate and Iloilo, and drawing from key informant interviews, focus group discussions (FGDs), participant observation, and literature reviews, this study analyses the status of women's land rights and interprets experiences of peasant men and women, especially the members of the *Samahan ng mga Anak ng Magsasaka ng Famosa* (People's Organization of Farmers' Children in Famosa) (SAMFAI) and *Kaisahan sang Mangunguma sa Programa sa CARP* (Unity of Farmers in CARP Program) (KMPCI). Highlighting women's leadership in the advancement of land rights for both men and women helps demonstrate women's important contributions in agrarian justice.

The cases show peasant women's key roles in bridging the gap between the country's exploitative agrarian hierarchy and the silence on gender injustice. In so doing, this study expands the often dichotomized redistributive/non-redistributive agrarian debate.

In sum, the peasant women's front line and leadership roles in the agrarian struggle have been driven by the collective desire to advance land redistribution. However, although the peasants' initiatives critically respond

to the agrarian policy implementation failures in the country, these are not necessarily conducive to gender justice. This study therefore problematizes how women-led land struggles advance (or otherwise hamper or delay) the attainment of integrated justice, especially within contexts often marred by violence (triggered usually by landowners) and within an agrarian structure which is operating through an outdated set of gendered norms and values (reproduced in large part by the state's complacency and weak political will).

#### Key words

Peasant women, women's (social) movement, social and gender justice, land reform, social transformation, Philippines



## Samenvatting

### IN DE FRONTLINIE : VROUWELIJKE LANDARBEIDERS EN DE STRIJD OM LANDHERVORMING IN DE FILIPPIJNEN

In veel agrarische gemeenschappen in de Filippijnen vormt het feit dat de landhervorming nog steeds niet is voltooid een bron van inspiratie voor de landarbeidersbeweging, die veelal wordt geleid door vrouwen. Agrarische gemeenschappen komen op voor hun rechten en eisen gerechtigheid. Vrouwen staan vaak in de frontlinie en proberen op verschillende manieren, waaronder het bieden van rechtmatig verzet, direct toegang tot en controle over de bestaande of herverdeelde landbouwgrond te verkrijgen. Uit dit onderzoek bleek echter dat de strategische genderbelangen van de vrouwen weliswaar onmisbaar zijn voor het bevorderen van de landhervorming en het bereiken van integrale rechtvaardigheid, maar vaak worden overschaduwd door klassegerelateerde belangen en daardoor niet voldoende aandacht krijgen.

Vanuit het theoretisch kader van integrale rechtvaardigheid (Fraser, 1999, 2005) biedt dit onderzoek een kritische beschouwing van de praktijk van de landbouw in de Filippijnen. Daarbij wordt onderzocht hoe vrouwelijke landarbeiders die het voortouw namen in de strijd om grond in twee agrarische gemeenschappen niet alleen hun stempel drukten op de herverdeling van grond, maar ook vochten voor de erkenning van hun rechten of voor gendergerelateerde kwesties. Voor dit onderzoek is veldwerk gedaan in het land en in twee agrarische gemeenschappen in de provincies Masbate en Iloilo. Er is gebruikgemaakt van interviews met sleutelfiguren, focusgroepdiscussies (FGD's), participerende observatie en literatuuronderzoek. Op deze wijze is de status van de rechten op grond die vrouwen hebben onderzocht en zijn de ervaringen van mannelijke en vrouwelijke landarbeiders geïnterpreteerd. Het onderzoek was vooral gericht op de leden van de Samahan ng mga Anak ng Magsasaka ng Famosa (Volksorganisatie van boerenkinderen in Famosa; SAMFAI) en van de Kaisahan sang Mangunguma sa Programa sa CARP (Boeren verenigd in het CARP-programma; KMPCI). Door het leiderschap van vrouwen bij de bevordering van het recht op grond voor zowel mannen als vrouwen te benadrukken, wordt zichtbaar dat vrouwen een belangrijke bijdrage leveren aan agrarische rechtvaardigheid.

Uit de casestudy's blijkt dat vrouwelijke landarbeiders een sleutelrol spelen bij het doorbreken van de landelijke agrarische hiërarchie die gepaard gaat met uitbuiting en van het stilzwijgen over onrechtvaardigheid op het gebied van gender. Op die manier verbreedt dit onderzoek het vaak gepolariseerde landbouwdebat over herverdeling versus geen herverdeling.

Concluderend heeft de collectieve wens om de herverdeling van grond te bevorderen vrouwelijke landarbeiders ertoe aangezet om voorop te gaan in de landbouwstrijd. De initiatieven van de landarbeiders zijn echter niet noodzakelijkerwijs bevorderlijk voor genderrechtvaardigheid, ook al vormen ze een onmisbaar antwoord op de mislukte uitvoering van het landbouwbeleid in de Filippijnen. In dit onderzoek wordt daarom de vraag opgeworpen hoe een door vrouwen geleide strijd om grond het bereiken van integrale rechtvaardigheid kan bevorderen (of juist kan belemmeren of vertragen), vooral binnen een context van geweld (meestal veroorzaakt door grondbezitters) en binnen een landbouwstelsel met achterhaalde gendernormen en -waarden (grotendeels in stand gehouden door de lakse houding en zwakke politieke wil van de overheid).

Trefwoorden:

Vrouwelijke landarbeiders, vrouwenbeweging, sociale beweging, sociale en genderrechtvaardigheid, landhervorming, sociale transformatie, Filippijnen

1

## Gender justice: Exploring peasant women's land rights struggles

### 1.1 Introduction

In the Philippines, injustices brought about by the continuing landlessness, poverty and social inequality persist. These often have negative impacts on women's rights and their quality of life. Crucial to this reality is the fact that women's land rights are often not recognized and are neglected in the land redistribution processes. Peasant<sup>1</sup> women often become entitled only when they become widowed, in case of their husbands' absence or in case the husband is not qualified to become an agrarian beneficiary. Thus, women's land rights are often dependent on men or considered secondary to men. This is despite the agrarian law and government policy that claims to protect women's land rights, either through women's individual land entitlement or co-ownership with the husband or partner. This inconsistency strongly impinges on peasant women's rights, as they face both the risky and often dangerous consequences of leading peasant movement's demand for justice and equality of land rights with men. Thus, despite their leadership in the land struggle, women rarely enjoy equal access to and ownership of land, including production benefits and opportunities.

This study specifically examines the land redistribution process and the peasant women's struggles in advancing the Philippine Comprehensive Agrarian Reform Program or CARP. The CARP is a land reform program instituted as a social justice program since the end of the Marcos dictatorship

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<sup>1</sup> "The terms 'peasant' and 'peasantry' are highly contested terms and concepts in the literature." (Borras, 2004:22). Here, the term 'peasant' is used to mean (near) landless women and men farmworkers, farmers, or identified agrarian beneficiaries, regardless of their status, such as being tenants or labourers, in the agrarian setting, thus encompassing and connecting class and status in land and gender relations.

in 1986<sup>2</sup>, which has been running for more than 30 years now. This study, particularly, focuses on the coverage by the Department of Agrarian Reform (DAR)<sup>3</sup>. To fully grasp peasant's experiences in land rights struggles, this study will discuss the land redistribution processes, trace the agrarian and agrarian movement's history, and finally focus on two agrarian cases to illustrate the peasants' agrarian struggles and women's assertion of their agency to claim their land rights.

In so doing, this study deploys Nancy Fraser's three-dimensional theory of justice, which integrates both the distributive and non-distributive justice, and the political dimension of representation. Hence, the analysis considers the combination of the distributive or economic dimension, as well as recognition of the cultural dimension and representation as political dimensions. Peasant women's and men's political action is mainly through organization to collectively and actively represent their land rights claims and advance justice. Peasants take advantage of the political opportunity offered through land reform and actively engage the state through their organized actions. However, the key question that this study seeks to answer is whether the peasants' contestations and peasant women's struggles contributed to gender justice and if so, to what extent.

Through a gender justice lens, this study validates the views that peasant women (not only men) have the right to own land independently, or as co-owner of their husbands or partners in the event of all agrarian land redistribution.

Furthermore, through such lens, I believe, this study can contribute in narrowing the knowledge gap in agrarian and agrarian movement studies, by shedding light on the peasant women's (and men's) experiences and agrarian processes. Perhaps it can also contribute to the initiatives that aim to pave the way towards a more gender-just society, establishing equal conditions and access to opportunities for both women and men. My personal background inspired this study, as I come from a peasant family myself, and I had the opportunity to work with non-government institutions and social movements that seek to advance social transformation. Several of these peasant men and women, and various activists and feminists, have lost their lives during the

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<sup>2</sup> The Marcos dictatorship lasting more than 20 years ended in February 1986 through the EDSA Peoples' Power. Millions of people gathered at this main thoroughfare and demanded Marcos' resignation that eventually led to the dictator and his cohorts to flee out of the country.

<sup>3</sup> The DAR is the main agency that implements the CARP, more specifically the redistribution of government owned lands and the expropriation of private agricultural lands (PAL).



social movement, and those remaining are incessantly committed to advance social justice in the country. My personal experiences and the sacrifices of the movement's unsung heroes serve as my deep motivation to contribute to existing critical agrarian studies and further understand peasant women's (and men's) land struggles and demands for justice.

## 1.2 The Problem

CARP as mentioned earlier, is a contemporary social justice program provided for by the 1987 Constitution<sup>4</sup> that was enshrined after the fall of the Marcos dictatorship through Republic Act 6657. In general, the program targets both public and private alienable and disposable agricultural lands to be redistributed to landless or near landless farmers or farmworkers or identified agrarian beneficiaries. The beneficiaries are obliged to pay the land through amortization of up to 30 years, while the landowners are paid by the government through cash or in bonds. The land redistribution is ideally through compulsory acquisition. However, schemes such as voluntary land transfer or voluntary offer to sell, which are considered non-redistributive schemes, are often used. (see Chapter 4 for more details). At present, CARP is already more than 30 years old, and yet, continues to fall short in terms of its redistribution schedule and targets. Divergent agendas and motivations of the Philippine state, which historically has been led by the wealthy and the landed elite, coupled with dominant international policies contrary to land redistribution, constrain the program's full and successful implementation (Borras, 1998: 63). Land reform implementation in the country since the 1980s to 1990s is characterized by serious structural and institutional obstacles and constraints within the constantly evolving international and national contexts - saddled by huge external debts, with an industrial development strategy banking on foreign direct investments (Ibid). The program remains a contested agenda, and a significant number of landholdings remain undistributed.

It would be fair to note, however, that the land reform program was able to distribute a significant proportion of big landholdings to several agrarian beneficiaries. For instance, Delos Reyes<sup>5</sup> claimed 87.1% accomplishment

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<sup>4</sup> The 1987 Constitution of the Philippines was instituted after the ouster of Marcos dictatorship. Article XIII of the Constitution stipulates the social justice and human rights provision including the agrarian and natural resources reform (Sec. 4-8), women (Sec. 14), human rights (Sec. 17-19) and others. The Constitution can be viewed at <http://www.gov.ph/constitutions/1987-constitution/>

<sup>5</sup> Virgilio R. Delos Reyes was the Secretary of the DAR during Benigno Aquino III administration (2010-2016). For more details see Delos Reyes et.al (2016).

of its agrarian target in 2014, that is, a redistribution of roughly 2.5 million hectares out of 3.2 million hectares of private agricultural lands (Delos Reyes et.al, 2016). In 2018, 2.4 million beneficiaries were recorded (see Table 6, p. 86). However, the scope of coverage and consistency of the reported accomplishment data is contested. For example, it will be observed below that from the original scope of 10.1million hectares, the total scope decreased to 8.1 million in 1997 (see Table 1). The disappearance of 2 million hectares is yet to be explained (see also Borrás, 1998).

**Table 1:** *CARP (changing) scope and accomplishment, 1972-2018 (in million hectares)*

Working Scope	DAR	DENR <sup>6</sup>	CARP total
Original (1988-94)	3.8	6.3	10.1
Changed scope (1997)	4.3	3.8	8.1
Inventory of CARP scope	5.2	3.8	9.0
LAD <sup>7</sup> accomplishment 2010	4.1	3.4	7.5
% accomplishment	78.8	89.5	83.3
LAD balance 2010	1.1	.4	1.5
LAD accomplishment 2018	4.4	3.87 <sup>8</sup>	-
LAD balance 2018	.8	-	-

*Sources: PARC, DAR Planning Service, in Manaban 2013 and DAR-MISS 2018*

Based on the latest figure in 2018, the DAR reported a redistribution accomplishment of 4.4 million hectares, with around 800,000 hectares as remaining balance for redistribution, based on the DAR CARP inventory scope of 5.2 million hectares (see Table 1).

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<sup>6</sup> The Department of Environment and Natural Resources (DENR) distributes the public alienable and disposable agricultural lands, as well as select forests lands or areas suitable for agro-forestry through individual stewardship and or community-based forestry management.

<sup>7</sup> LAD is short for land acquisition and redistribution.

<sup>8</sup> In 2015, DENR claimed that 102% of the agency's target for redistribution have already been accomplished, see Esplana, M.R. and Antonio B. Q. (2017).

**Table 2:** *CARP coverage (in hectares) and balances, 2014*

DAR	Working Scope (hectares)	Total Accomplishment	Balance
Nat'l Summary	5,385,959	4,691,175	694,784
Private Agricultural Lands (PAL) <sup>9</sup>	3,220,514	2,584,902	635,612
Non-PAL <sup>10</sup>	2,165,445	2,106,273	59,173

*Source: DAR Field Operations Office; Presidential Agrarian Reform Council, 2014*

In 2014, however, it could be observed that approximately 4.7 million hectares were claimed to have already been redistributed (see Table 2), leaving a balance of almost 700,000 hectares for redistribution. The difference between 4.7 million (2014) and 4.4 million (2018) suggests inconsistency of data and also raises concerns on the rate of accomplishment over the years, as it apparently continues to decline when it should have been increasing annually. What happened to the portion of land that is being subtracted from the target? Early on, however, the DAR itself admitted to data inconsistency, lack of information and documentation and unsystematic and unreliable information systems causing delay in land acquisition and distribution (Arlanza et.al., 2006:vi-vii). Manahan (2018:10-15) also noted that digging deeper into the DAR record would confirm the dubiousness of, and anomalies behind the data.

Furthermore, this record (Table 2) also reveals that 91 percent of the balance or more than 635,000 hectares, is private agricultural land. The redistribution processes would therefore be highly contested by the landed elite. This also confirms a study by Borras and Franco (2006) indicating that a sizable private agricultural land, especially big landholdings, remain in the hands of the landed elite and remains contentious. These are lands which are also considered most productive and desirable (Manahan, 2018). In most instances, the contestations to land redistribution result in disputes and violence. The Partnership for Agrarian Reform and Rural Development Services

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<sup>9</sup> Private agricultural lands (PAL) refer to all lands devoted to or suitable for agriculture that are covered by CARP, provided retention for the landowners with a total of 5 hectares, Section 4, RA 6657.

<sup>10</sup> Non-private agricultural lands (non-PAL) refer to “all alienable and disposable lands of the public domain devoted to or suitable for agriculture” (a), “all lands of the public domain in excess of the specific limits as determined by Congress...” (b), and “all other lands owned by the government devoted to or suitable for agriculture” (c), Section 4, RA 6657. Here, non-PAL area refers to the government owned land under DAR jurisdiction, such as government foreclosed lands and settlement areas.

(PARRDS), a local NGO, reported in 2008 that numerous peasants and activists had been murdered and violently repressed, both by state and non-state actors, due to their opposition to land redistribution. From 2001 to 2008, about 2,224 victims of killings, attempted killings, harassment, and violent dispersals, including forty-eight killings, were recorded (Formanes et.al. 2008:8, see also Franco and Caranza, 2014 and Manahan, 2018).

This complex scenario impinges strongly on peasant women, as they face further violence because of advancing their interests as landless peasants and as women who need to be on the front line of the agrarian struggle (Chapter 6). Despite their leadership and the formal and legal structures that claim to promote women's equal rights (both in international treaties and national laws and policies), women's rights such as access to and ownership of land often remain absent. Although more attention is now being paid to women's rights (unlike in the past when women were excluded from land reform policies)<sup>11</sup>, women, however, still tend to be treated as an "add-on" category (Jacobs, 2002:1). Despite various strategies to fight discrimination, gender inequality persists with an increasing "féminisation" of poverty because of multiple exclusions (Food First International Network, 2002:1).

In the Philippine context, women's rights to land are explicitly included in the 1987 Philippine Constitution<sup>12</sup>, in the CARP extension law through Republic Act 9700, known as CARPER and specific women's statutes like the Nation Building Act of 1992, and The Magna Carta of Women<sup>13</sup>. The country is also a prominent actor in international conventions such as the UN General Assembly Convention on the Elimination of Discrimination Against Women (CEDAW)<sup>14</sup>, which provides the same imperative for non-discrimination against women. This would seem to indicate that in various ways, the formal recognition of peasant women's rights to land is guaranteed. Unfortunately, the mere existence of laws, policies, and formal institutions, locally

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<sup>11</sup> As shown amongst others by Deere and de Leon (2001) in the context of Latin America, Agarwal (1994) in the context of South Asia, Whitehead and Tsikata (2003) in the African context and Razavi (2003, 2009) in the international context.

<sup>12</sup> Article XIII Section 14, state that "The State shall protect working women by providing safe and healthful working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation." (The 1987 Philippine Constitution)

<sup>13</sup> An Act Providing for the Magna Carta of Women or Republic Act 9710 promulgated in 28 July 2008.

<sup>14</sup> CEDAW is an international treaty adopted in 1979 by the United Nations General Assembly. The Philippines is one of 64 countries that ratified the Convention.

and internationally, does not imply effective enforcement and does not automatically result to gender equality. Often, women's inclusion and the enforcement of laws, including the agrarian reform measures, remain problematic because of, for instance, the conflation of men's and women's interests and the equation of peasants solely to men. Similar in Latin America, as Deere (2003) pointed out, women's inclusion in treaties, laws and policies did not increase the number of female beneficiaries of agrarian reform, as the criteria still discriminate against women (2003: 259). Hence, women's position in the agrarian process continues to be framed by dominant gender norms. These norms neglect the recognition of women's distinct or specific positions, needs and rights, as in the case of Filipino peasants who are not only excluded from land ownership and access but also from equal benefits and production opportunities.

Over the years, feminist scholars emphasized the importance of women's land entitlement (see for example Agarwal 1996, 2003; Jacobs 2002; Deere and Leon, 2003, 2017; Menon et.al, 2017), relating it to arguments on welfare, equality, empowerment, and justice, amongst others. However, there is also some disbelief (Jackson 2003), as for example in Africa, where lack of access to labour, cash or other resources, not land access, is viewed as a major cause of poverty amongst women. There is also a belief that land rights claims could potentially threaten marital stability, as it does in India. The "rights for women run risks obliterating the need for a consideration of land rights as a constraint faced by women" (2003:477). However, Jackson believes that women should receive land through the state's land reform initiatives, which she believes is distinct from claiming land from fathers or husbands (Ibid).

Nonetheless, it is noticeable that many of the academic and policy analyses on the agrarian question are mainly focused and viewed from the redistribution lens, which often offers neutral and homogenous ideas of "peasants" instead of highlighting women and men's intertwined experiences and intersecting class-gender positions. Many or most of the canonical texts and agrarian studies (see for example, Kerkvliet 1990, Hayami et.al 1990, Putzel 1992, Reidinger 1995, Borras 1998, Borras and Franco 2006, Franco and Carranza 2014, amongst others), fall short in terms of looking at the agrarian problem with a gender perspective or beyond the redistributive view, and thus do not challenge gender neutrality and homogeneity, nor consider in the analysis the peasant women's distinct position, needs and rights. As White (1986) notes, "the field of peasant studies generally implicitly equates 'the peasant' with male household heads, which actually excludes the majority of the peasant population from the socio-economic analysis" (cited in: Razavi 2009: 200). Recently, Hall et.al (2015:483), in the context of the land grabbing literature (which has been the general focus of agrarian studies in the past decade),

noted that “where there is a growing literature on gendered impacts of land deals, there is little empirical work and even less analytical and theoretical treatment of gendered responses to land deals”. This affirms the persistent knowledge gap and the lack of inclusion of a gender perspective in agrarian studies, which this study aims to address.

In sum, while it is important that the formal rights of women and their legal entitlement to land are recognized both nationally and internationally, in practice peasant women often remain confronted with both class- and gender-related injustices, brought about by the agrarian structure and persisting patriarchy in the country. Moreover, as elsewhere, as claimed by Food First International Network (FIAN) and La Via Campesina (2002:1), rural women traditionally have fewer rights and opportunities than men because of patriarchal beliefs and conservative models and structures that perceive males as the only productive members of society. As such, the cultural aspect, such as stereotypes in agrarian settings, are crucial factors, but are often not integrated in praxis, especially in agrarian and agrarian movement analysis and understanding. It is with this socioeconomic, political, and cultural backdrop that the study locates itself to contribute to further knowledge on integrated justice in the context of land reform.

### 1.3 Objectives and Research Question/s

The objective of this study is to examine the state of peasant women’s land rights and land struggles in the agrarian reform transition in the Philippines. It specifically aims to identify changes and examine the constraints that peasant women face in achieving gender justice as they demand for or claim their land rights. Hence, this research asks, “*In which ways and to what extent, have peasant women’s struggles for land rights and land entitlement in the Philippines contributed to fostering gender justice in the ongoing land reform process?*”

This study also aims to contribute to the social movement and critical agrarian studies’ literature that seeks to further understand women’s land rights and gender justice in land reform processes. By specifically focusing on two peasant organizations in two locations in the Philippines as the main sites of analysis, this study is able to highlight the peasant women’s land reform struggles, and their strategies and agency in seeking justice from their inter-secting positions as both peasants and women.

### 1.4 Scope of the Study

This study pertains mainly to the struggle of peasant women in access to and control over land resources through the land redistribution under CARP. It

specifically examines the on-going CARP coverage and implementation since its inception in 1988. It focuses on the DAR's redistribution scope, considering the agency's focus on expropriation and redistribution of private land-holdings, and the highly contested undistributed lands.

Although this study focuses mainly on women, it also recognizes men's perspectives and considers them as relevant. The emphasis here, however, is the dynamic between peasant women and men as they engage in the land redistribution program, their strategies to claim land rights and entitlements, and how these all contribute to gender justice. This study also concentrates on two on-going agrarian experiences that were not yet documented elsewhere, but also takes into consideration other peasant women's experiences. This is also juxtaposed against the current and historical agrarian reform process, and the history of women's movement in the country.

## **1.5 Organization of the study**

This dissertation is comprised of seven chapters. Chapter 1 introduces the research problem, objectives and questions, and the context in which the research is situated. I specifically argued here that after more than three decades of CARP existence, the redistribution program remains dubious, as it is implemented within a context of patriarchal agrarian structure that hampers land redistribution, recognition and representation of women's equal land rights, and ultimately agrarian and gender justice.

Chapter 2 deals with the concepts and analytical framework of the study. It provides insights from the on-going debates on land reform and women's land rights, connecting them to the concepts adopted to formulate the study's own analytical framework. Thereafter, Chapter (3) discusses the methodology and research process. This is written separately to show the challenges, complexities, and possible dangers of conducting field research as a female researcher in 'hotspot' agrarian areas.

Chapter 4 provides insights into the historical evolution of the institutionalization of the Philippines' agrarian structure, from the Spanish and American colonization, country's independence in 1946, the dictatorship era in the 1970s to the 1980s, to the recent CARPER. This chapter also examines how landlordism persists vis-à-vis peoples' movements that have continuously sought to claim justice in land redistribution. The latter part of this chapter focuses on the legal mandate on peasant women's rights, to provide the institutional and political context in which peasant women can claim gender equality, allowing for a better understanding of the structural constraints towards gender equality in land reform processes.



Chapter 5 describes the social movement in the Philippines, especially the women's movement, and the representation of women in land reform, outlining women's roles, their representation in the agrarian movement and its evolution in the country. Drawing on the two case studies, Chapter 6 illustrates the peasant women's leadership and front-line roles in land redistribution struggles and in utilizing the 'rightful resistance' and other strategies used by the peasants to advance (gender) justice claims. The research shows that peasant women's struggles on land reform are often silent on women's strategic gender interests, thereby continuously invisibilizing gender hierarchy and gender injustice in the land redistribution process. The concepts that were critically examined in previous chapters are deployed in this section to analyze the two cases that illustrate the current transformation and continuities of injustices in the land reform process.

The final chapter (Chapter 7) provides insights into the findings and contributions of the study and potential future research direction. The study argues that the peasant women's frontline roles and leadership in the agrarian struggles were driven by both peasant women's and men's collective desire for effective land redistribution and justice. However, this collective aim is not necessarily conducive to gender justice. The peasant women's struggles for land reform are often silent on women's strategic gender interests, which is due mostly to the influence of patriarchal agrarian structures reinforced by the lack of rights awareness and gender consciousness. This therefore implies the relevance of a gendered agrarian justice framework, which could scrutinize the often-unquestioned gender injustice in land reform and which could also bring to light the continuities between the often dichotomized redistributive and non-redistributive aspects of agrarian processes and debates.





Two of KMPCI women members, heading towards the sugarfield for the day's work. Taken by the author during research fieldwork in 2013.



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## Gender Justice and Land Reform: Theories, Concepts and Analytical Framework

### 2.1 Introduction

This chapter builds on the concepts of gender and women's land rights (Risman 2004; Agarwal 1994; Deere and Leon 2001; Razavi 2003; Deere 2017); women's agency and empowerment and gender needs (Rao 2017; Agarwal 1994, 2003; Moser 1989); and Nancy Fraser's integrative approach to justice to understand the peasant women's land reform struggle and its contribution to gender justice in the Philippines. Specifically, it aims to determine how gender justice, women's land rights and women's agency figure in land reform; what the specific contributions of feminist theories and concepts are on these interlinked issues; and why an integrative approach to justice is important.

Fraser's (1999, 2005) integrative approach integrates the economic, cultural, and political dimensions in understanding justice and in envisioning social and structural transformation. It equally emphasizes the importance of the feminists' advancement of recognition of differences or status order, the redistribution of wealth or economic order and the equal importance of the political dimension or representation (Ibid). I argue that Fraser's integrated approach to justice, together with feminists' concepts on gender and women's land rights and women's agency and empowerment, are useful lenses in examining and understanding the peasant women's struggle on attaining land reform and justice through the Philippine Comprehensive Agrarian Reform Program (CARP).

To understand gender justice in land reform, this chapter specifically discusses the theory of social justice and the concepts of gender and women's land rights (Fraser 1999, 2005; Risman 2004; Agarwal 1994; Deere and Leon 2003) and women's agency, empowerment and gender needs (Moser 1989; Rao 2017; Agarwal 1994, 2003, 2015; Morgan 2017; Hennings 2019) juxtaposed with the important, although gender blind, social movement's approaches - state-society/bibingka strategy (Fox 1993; Borras 1998) and rightful resistance (O'Brien 1996). Finally, the chapter illustrates the analytical framework of this study, incorporating the abovementioned theories and concepts.

## 2.2 Social justice, gender, and women's land rights

Understanding the peasants struggles and their contribution towards a gender-just land reform implementation in the Philippines warrants a discussion of the concepts of social justice especially the feminist's theory of justice, gender, and women's land rights. Young (1990) pointed out that domination and oppression are two primary disabling constraints to justice. Hence, it is important to conceptualize justice by denouncing these constraints rather than focusing on economic distribution (1990:15-16). Young's position is a critique on the dominant framework – the distributive paradigm - in conceptualizing justice or injustice, as done, for instance by Rawls (1971). Rawls was critiqued for treating the questions of equality and social justice at the core of the liberal approach to development focusing on issues like poverty alleviation rather than inequality and redistribution. Thus, the emphasis is on provision of basic services targeting the 'poorest of the poor' rather than questions of distribution of wealth and income within society (Molyneux and Razavi, 2002:8-11). Rawl's theory was also subjected to feminist critique for presuming that individuals are male household heads and that justice prevails within the family (Ibid:8).

In contrast to Rawl's distributive approach, Young argued that non-distributive aspects of justice are the bases of social positions (e.g. gender and class), social structures and institutional contexts that partly shape the people's ability to take action (Ibid:22). Hence, there is a need to look at the three primary categories of non-distributive issues: decision making; division of labor; and culture. It is necessary to evaluate not only the distributive outcome but also the social structures, the "evaluation of a matrix of rules, attitudes, interactions and policies" as social processes that allow or constrain individuals and produce or reproduce patterns and/or cumulative consequences of actions (Ibid:20-30). Similarly, Ackerly (2009:10) noted that to attain justice the evaluation of rules, attitudes, interactions, and policies is necessary through examination of various socially sustained values, practices and norms that result in gender inequality. Central to Young's approach is an understanding of oppression as structural, 'hindering self-development'; and domination as 'hindering self-determination'. Oppression not only happens through coercion but also through everyday practices that result in systemic constraints. Women's oppression, for example, is structural rather than a result of people's choices or policies, and is embedded in unquestioned norms, habits and symbols which have become normal processes of everyday life and systematically reproduced in major economic, political and cultural institutions. People's conscious actions daily contribute to the maintenance and reproduction of oppression, hence they unknowingly become agents of

oppression and the weakening or marginalizing of a social group (Ibid:41-43) like peasant women.

Feminists' emphasis on recognizing equally important aspects of social hierarchy and/or differentiation, such as gender, race, and sexuality, amongst others, is therefore important in conceptualizing justice. However, I argue that the emphasis on recognition or non-distributive aspects or the importance of social hierarchies based on status, such as gender, race, sexuality etc. often overshadows the equally important distributive dimension on justice. Young's emphasis on the non-redistributive aspect discounts the equal significance of material or economic redistribution, such as, the peasant's land access and control. Consequently, emphasis on recognition may not redress injustice that is rendered both by maldistribution and misrecognition, as in the case of peasant women's equal rights to land in relation to men. As such, both redistributive and non-redistributive aspects of justice seem to be equally important and require the same level of attention especially in the context of landless peasant women. This is fulfilled by Nancy Fraser (1999, 2005), whose theoretical proposition on justice promises an integration of both approaches and also incorporates the political dimension or representation which is equally crucial in this study.

*Three-dimensional approach to justice: Redistribution, recognition, and representation*

As a critique on the dichotomization of distributive and non-distributive justice, Nancy Fraser puts forward an integrative perspective on justice, which she first calls as two-dimensional concept of justice or 'perspectival dualism'. On one hand, the distributive aspect is concerned with economic hierarchies that aim towards arbitrary distribution of resources and goods or benefits and burdens of social cooperation, therefore calling for redistribution. On the other, the non-redistributive aspect is concerned with social status hierarchies, aiming for equal respect to all social members, and therefore calls for recognition. Fraser argues that both axes of injustice are analytically distinct, as they are caused by different types of social institutions and different forms of injustice, but both are interrelated and must be equally considered (2009:84). Thus, this is in line with "conceiving the economic and cultural as differentiated but interpenetrating social orders, perspective dualism appreciates that neither claims for redistribution nor claims for recognition can be contained within a separate sphere" (Ibid:85). The divide between redistribution and recognition is a false dichotomy, and it is misleading to assume that the politics of redistribution means class politics while politics of recognition means 'identity politics' or politics of sexuality, gender, race etc. Treating recognition as an alternative dedicated to correcting status-specific (gender, race, sex) forms of economic injustice that traditional class movements

ignored. The dichotomy, in effect, inhibits the recognition dimension of class struggles and curtails the plurality of recognition crucial in affirming difference (Ibid:73). Essentially, redistribution insists that identity politics is counterproductive in solving the real economic issue, “it’s the economy stupid”; and in contrast, recognition insists that a difference-blind politics of redistribution reinforces injustice by falsely universalizing the dominant group’s norms and neglecting to recognize distinctions, “it’s the culture stupid” (Ibid:73-74).

Fraser pointed out the middle ground or the so called ‘bivalent’ social differentiation (i.e. gender, race, sexuality amongst others) that are simultaneously entrenched in both political economy and culture to avoid falling into such extremes. For her, “bivalently oppressed groups suffer both maldistribution and misrecognition in forms where neither of injustices is an indirect effect of the other, but both are primary and co-original. Neither redistributive politics alone nor politics of recognition will suffice but they need both.” (Ibid: 75-76). One example of this is gender, which is found in both culture and political economy. From the economic perspective, gender structures the division between paid ‘productive’ labour and unpaid ‘reproductive’ and domestic labour, and within the paid labour, between higher paid – dominated by males and lower-paid and domestic services – dominated by females. An economic structure that triggers gender-specific forms of exploitation, marginalization, and deprivation, requires redistributive redress. From the status order, gender encompasses sexuality that privileges masculinity and devalues femininity, as institutionalized by law, state policies, social practices, and interaction. These institutions set women in subordinate status, which is linked to sexual assault and domestic violence, harassment of women, denial of full legal rights and equal protections, amongst others. This reflects injustices of recognition that cannot be redressed by redistribution alone but require remedies of recognition. Therefore, gender is a bivalent social differentiation that simultaneously affects class and status, requiring redress on both economic structure and status order of society to render justice (Ibid:76). This is an important proposition especially in the context of peasant women who are often excluded from agrarian benefits (which will be shown in the empirical chapters).

Echoing Fraser’s integrated approach, Risman (2004) conceptualized gender as a social structure. She argued that gender should be treated as equally significant as economics and politics. It should be analysed as embedded in individual, interactional or cultural, and institutional dimensions of the society. Therefore, there is a need for ‘both/and’ strategy or integrated approach to understand how gender, race, class, and other structures of inequality operate and how these axes of domination intersect (2004:429-447). She



emphasized that while axes of domination are not necessarily produced or reproduced in the same processes, gender study cannot be isolated from other inequalities nor be devoid of historical and contextual specificity (Ibid:442-443). There is therefore a need for simultaneously attending to axes of oppression and recognizing the importance of looking at culture and how culture shapes inequality, including the expectations attached to men and women, the 'status expectations' attached to gender and race that privilege those with high status, and other interactive processes that produce inequality and are reproduced in everyday interactions such as through 'subordinate adaptation'. This subordinate adaptation is seen as a women's strategy to adapt to gender structure by 'trading power for patronage' to acquire benefit from or in trade of men's authority or to prevent social ostracism (Ibid:437-438). In other words, looking at the simultaneous axes of oppression is crucial, especially the cultural norms that are embedded in individuals and institutions, which in turn reproduce inequality and hierarchies. Understanding the strategies women may employ given such a gender structure is also relevant.

Similarly, Cornwall and Rivas (2015) argued that equating gender with male-female relations ignores other hierarchies or relations of power such as class (2015:404). The same is true for framing gender on two oppositional categories - associating men with power and perpetrator in contrast to women as powerless and victims – disregarding men's efforts against inequity and women's contributions to society (Ibid:405). Thus, the gender agenda is about transforming power relations for women's rights, social justice, and transformation of economic, social, and political structures (Ibid). The development and empowerment agenda should therefore not begin and end with women's access to resources but should also focus on transforming women's perceptions of themselves as citizens and human beings embedded in restrictive and limiting social norms (Cornwall, 2016:356). In short, the authors are proposing that a gender agenda should aim for transformation of power relations in economic, social, and political dimensions to empower women. Empowerment which is not only pertaining to economic but also to boosting women's self-worth and self-esteem.

This study therefore conceptualizes gender as a structure entrenched in both the political economy and culture. Thus, the main task is to theorize the relations between class and status, and between maldistribution and misrecognition. Class and hierarchical status designate socially entrenched orders of domination. Class structure institutionalizes mechanisms of distribution that systematically excludes some groups, such as peasant men and women from opportunities. Meanwhile hierarchical status institutionalizes patterns of cultural values that refuse recognition, which deny and limit people's

participation resulting in injustice (Fraser 1999:81). For example, in the Philippines, claims and calls for land redistribution often neglects women.

Forst (2007:297) critiques Fraser's earlier two-dimensional approach- redistribution and recognition – for its lack of equal emphasis on the political question. He also stressed that parity of participation is an inadequate criterion for justice claims compared to the notion of equality, which he called 'first-things-first' approach. According to him, justice must determine how persons are underprivileged and considered; hence "justice is first and foremost about ending domination and unjustifiable, arbitrary rule, whether political or social in a broader sense; it is about citizens' status as equals in political and social life..." (Ibid: 294-295). Furthermore, he pointed out that "power is the most important of all goods" in justice concerns, as it is necessary to "set up a justified basic structure in the first place – and to keep it going." As such, it requires a critique of existing relations by (i), 'exposing unjustifiable social relations' – political, economic and cultural manifested by exclusion or domination; (ii) 'false' justifications for such relations, that hide asymmetrical power relations and traditions of exclusion; and (iii) account of failure of effective social and political structures of justification to unveil and change unjustifiable social relations (Ibid: 299).

Fraser (2005), expanded her previous approach into a three-dimensional theory of justice to include the political dimension of representation, alongside the economic dimension of distribution and the cultural dimension of recognition. According to Fraser (2005), misrepresentation occurs when some people are denied the parity of participation in social interaction – in political arenas among others, even in the absence of maldistribution and misrecognition (Ibid:7). There are three types of misrepresentations. First is the ordinary-political misrepresentation or first-order injustices, which means that political decisions wrongly deny full participation (for example, gender-blind rules which deny parity participation to women). Second, the misframing or the second order injustices, defined as,

*"When questions of justice are framed in a way that wrongly excludes some from consideration... in which one is denied the chance to press first-order justice claims in a given political community. The injustice remains, moreover, even when those excluded from one political community are included as subjects of justice in another – as long as the effect of the political division is to put some relevant aspects of justice beyond their reach." (Ibid:8-9).*

And thirdly, the meta-political misrepresentation, which,

*"arises when states and transnational elites monopolize the activity of frame-setting, denying the voice to those who may be harmed in the process, and blocking creation of democratic arenas where the latter's claims can be vetted and redressed.*



*The effect is to exclude the overwhelming majority of people from participation in meta-discourses that determine the authoritative division of political space.” (Ibid: 16).*

In short, for Fraser, justice claims implicitly or explicitly have the notion of representation, “... representation is always already inherent in all claims for redistribution and recognition. The political dimension is implicit in, indeed required by, the grammar of the concept of justice. Thus, no redistribution or recognition without representation.” (Ibid: 10).

As a response to Forst (2007), Fraser (2005) claimed that the three inter-connecting orders of subordination (economic, cultural and political) and three genres of injustice (maldistribution, misrecognition, misrepresentation), are institutionalized power structures that deprive some social actors of parity of participation (2007:329). Thus, the social relation is the primary object of parity of participation that aims to confront power relations and is critical of institutionalized power asymmetries that deny some people resources, standing and voice crucial for participatory parity (Ibid:330 and 332). The approach cuts across “all major social practices and arenas of social interaction” including employment and markets; family and personal life; formal and informal politics; public goods and services; and associations in civil society. (Ibid:332). For Fraser, to identify power only with political dimension is a mistake as all three dimensions have fundamental and irreducible dimensions of social power (Ibid:333). Hence, political is not a ‘master dimension’ as it is entangled with and complements economic and cultural dimensions,

*“Just as the ability to make claims for distribution and recognition depends on relations of representation, so the ability to exercise political voice depends on the relations of class and status...efforts to overcome injustice cannot, except in rare cases, address the relations of representation alone. On the contrary, struggles against misrepresentation cannot succeed unless they are joined with struggles against maldistribution and misrecognition – and vice versa.” (Ibid).*

In sum, Fraser’s three-dimensional approach to justice integrates economic, culture and politics in understanding and ultimately transforming societal structures and power asymmetries towards a more just society – a society where social actors may possibly have parity of participation because they have resources, equal social standing and voice. The next question to consider then is how this framework could be used in tackling land reform.

#### *Gender and women’s land rights and empowerment*

Feminists who did extensive studies on gender and land rights argued that increasing women’s ownership of assets such as land is important not only to establish real equality between men and women but also for women’s well-

being and empowerment (see for example Agarwal 1994; Deere and Leon 2001, 2003). It is believed that women's land rights will increase women's bargaining position within the household and community. Land ownership is also associated with the decrease in rates of domestic violence as it provides fallback for women when they leave abusive partners, and it makes them attractive to a new spouse and provides potential economic autonomy that may motivate their children to support them as they grow older (Agarwal, 1994; Deere and Leon, 2003:942; Deere and Leon 2001:28-30, see also World Development report, 2012).

Land entitlement empowers women economically and strengthens their ability to challenge social and political gender inequalities. For Agarwal (1994), independent share in land property can be the single most critical entry point for women's empowerment and equality, welfare, and efficiency. She emphasized that land rights especially for poor households, could ensure women's welfare and save them and their households from the risk of poverty and destitution, since women spend their incomes or purchase goods for family's general consumption as opposed to men who mostly spend on their personal needs (tobacco, liquor etc.).

*"... the risk of poverty and the physical well-being of a woman and her children could depend significantly on whether or not she has direct access to income and productive assets such as land, and not just mediated through her husband or other male family members..." (Ibid:27-30).*

Land redistribution from big to small farmers is efficient and would increase agricultural output, while an improvement in and children's health and nutrition could increase labor productivity and result in indirect benefit such as less out-migration or the creation of more jobs from local production. However, women's inheritance is often disputed and their quest to manage the land themselves is obstructed. (Ibid:34-38).

Agarwal argued that equality in land rights is both an indicator of women's economic empowerment and a facilitator in challenging social and political gender inequities. First, landlessness can result in ill social treatment, as in India, where low caste women attribute their powerlessness to lack of land. Second, land ownership can facilitate the bargaining of poor rural women for higher wages because of a stronger fallback position. And third, having land can increase women's participation in public decision-making institutions as land ownership is widely linked to rural political power (Ibid: 38-39). In short, women's equality vis-vis land will not only question gender inequality but may also eradicate it because it enhances the ability of disadvantaged or 'powerless'

individuals or groups of women to challenge and change unfavorable and subordinating power relationships (Ibid).

Similarly, Rao (2017:44) argued that land is not just a productive asset and a source of material wealth, but also a source of security, status, and power. Women's equal rights concerning land can give women both material gains or economic benefits and opportunities and can increase women's position or status in the society as having equal rights challenges oppression or discrimination. The concept of rights, in this case land rights, become the basis of peoples' assertion to justice claims. Agarwal (1996), defined rights as,

*"Rights are claims that are legally and socially recognized and enforceable by an external legitimized authority, be it village-level institutions or some higher level judicial or executive body of the State." (1996:268)*

The concept of rights is important as it becomes one of the bases of asserting justice claims, as in the case of the Filipino peasants' demand for the state to fully implement the land reform program as initially discussed in Chapter 1.

Broadly, land rights can be in the form of ownership or usufruct (the rights of use), associated with various degrees of freedom to lease out, mortgage, bequeath or sell (Agarwal, 1994:19). Land rights can be obtained by inheritance from an individual or joint family basis or community membership (e.g. where a clan or village community owns or controls land and members have use rights), or from state transfer or tenancy arrangements, purchase, amongst others. While there are several 'access' possibilities, either through rights of ownership and use or through informal concessions granted by individuals to kin or friends, having 'rights' provides a measure of security (Ibid). There are four distinctions on land rights, namely: a) between legal and social recognition and between recognition and enforcement; b) between land ownership and effective control; c) between individual or group ownership and use rights; d) between inheritance and land transfer by State (Ibid). In this study, the focus is on the land transfer by the state, which is through CARP, as earlier indicated.

However, there is a persistent debate on whether it is reasonable to grant independent land rights to women. While some policy advocates have been pushing for women's rights to land as a 'good' policy intervention presumed to enhance women's intra-household bargaining power, others are in opposition, claiming the risks to the 'customary' systems of land management to market forces and foreign commercial interests or pro-liberalization forces (Razavi, 2003:4). It is also argued that individualization and land titling were major components of free-market approaches to rural economic development in many African countries (especially Kenya) that has created profound inequity, and "those with money, information and power grabbed land title,

while the vulnerable groups experienced a weakening of their claims” (Ibid:21). However, Razavi pointed out that such contentions also risk hampering women’s requirement for resources, where inadequate land access seriously constrains women’s agricultural production – within male dominated households and of vulnerable social classes challenged by the risk of land alienation and entitlement in the context of liberalization (Ibid).

Agarwal (1996:270), on the other hand, has primarily proposed for independent rights for women – independent of male ownership or control (that is excluding joint title with men) for various reasons. For instance, joint title could hamper women’s control over their share in case of marital breakup, providing women slimmer chance to break out from marital violence. Joint titles also allow opposition against women’s claim for inheritance whereas, having independent rights could give wives better opportunity for land use priorities separate from husbands, such as being in control of their produce (Ibid). In her later study, Agarwal (2003) found the prospect of women’s collective purchase or lease of land important. Similarly, Jacobs (2002:892-3) argued that at a minimum, access to land with greater security and greater decision-making power means food security for women and family, better income, and enhancement of women’s bargaining power and status.

The rights discourse has “considerable rhetorical and mobilizing power; it reminds us that people have justified and urgent claims; rights confer agency and enable women in particular to articulate strong claims for equality” or for seeking social and gender justice (Molyneux and Razavi, 2003:10). Women’s land rights will boost the well-being of women (and children), community and the society, and is critical in women’s bargaining power and ending women’s subordination (Deere and Leon, 2003:259). Recently in Vietnam, Menon et.al (2017) found that women’s land rights increased women’s self-employment and household expenditure and lower poverty risks. Having equal land rights, therefore, may result in women’s economic gains and enhance their social status and positionalities. Consequently, there is a need to challenge the social relations and power asymmetries that create women’s subordination and men’s domination in the agrarian question, and the society in general.

### 2.3 Land redistribution and (non)recognition of women’s land rights

In 1979, the Convention on the Elimination of Discrimination Against Women (CEDAW), an international bill of rights for women, was adopted

by the UN General Assembly with an aim to eliminate discrimination against women:

*"...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."*

By accepting the Convention, UN member states committed to undertake a series of measures to end all forms of discrimination against women. These include the incorporation of the principle of equality between men and women in their legal systems, abolition of discriminatory laws and adoption of appropriate ones prohibiting discrimination against women amongst others. From then on, many member states including the Philippines have been complying with this Convention, at least in terms of formulating and partly implementing supporting laws and policies. In fact, empirical studies by many scholars show that there are many legislations and policies now that favor women including those on land rights (see for example Agarwal (1994); Deere and Leon (2001); Razavi (2003)). This illustrates a crucial step towards an egalitarian society and providing equal access to resources such as land. I argue that this progress in international and local laws and policies, could largely be attributed to feminists' activism.

However, after more than three decades of adopting CEDAW and despite gender-progressive legislation and policies in many countries, achievements which favor women are much less common than envisioned. Hence, resistance to unequal or ineffective land redistribution and demand for women's land rights persist, in the Philippines and across other countries. Examining the claims of Filipino peasant women on land rights through CARP (or Republic Act 6657 extended via Republic Act 9700 in 2009) may illuminate how land redistribution and recognition of women's land rights are enforced (or not) and how contradictions between the 'rights on paper' and in practice persists. Still, it is recognized here that having 'legal rights' is a step towards claiming 'actual rights'.

#### *Land redistribution, land titling and gender (in) equality: some empirical evidence across the world*

Significant empirical evidence shows gender inequality in land redistribution or in some contexts, in land titling programs due to various constraining factors. Bina Agarwal (1994: xvi-3) found that in South Asia, few women own land and even fewer have control because of patri-local post-marital residence and village exogamy or male kin strong opposition, the socially constructed

gender needs and roles, female population's low educational attainment, and male bias and dominance in administrative, judicial and other decision-making bodies at all levels. Other constraints include the government land redistribution programs' conventional assumptions: (i) unified or congruent male-headed household resulting in titles granted principally to men; (ii) the notion that land distribution to women will further decrease farm size; (iii) the view that frequent cultivation will decrease agriculture production; and (iv) the gaps between the central government policy directives and the shape being given at the state/province level (Ibid: 5-9).

In an earlier study on land titling in Latin America, Deere and Leon (2001:447) argued that the main constraints on women's inclusion to the titling program was women's ignorance of the possibility of joint claim with their spouses or direct land ownership. Information campaigns on women's rights under the law was weak and joint titling for spouses was not practiced. Even the application form for titling services did not provide space for the applicant's spouse or partner and in case of consensual union, official registration is required to be able to apply for a joint title. In Peru, like in Honduras, the titling program was primarily directed at men and men's associations (such as irrigation commissions) resulting in uninformed women. No difference was found in the case of Mexico, where land titling process was widespread (involving approximately half of Mexico's land surface, 40 million hectares and 2.2 million beneficiaries) and fast action which lacked serious discussion on joint titling. Similarly, the three countries assumed that land is family patrimony and as a result, only one member of the family could be a member and hold effective land rights - the household head or the principal farmer- primarily men (Ibid:452-454). On the contrary, in Chile, the titling program favored women, as prioritization of female household heads resulted in forty three percent (43%) women beneficiaries. However, married women and those in consensual unions were not prioritized, as they were presumed as non-agriculturalists and uninterested in owning land. Similar with the cases of Peru, Honduras and Mexico, land titling involving married couples has only targeted men, and women were uninformed about titling benefits due to lack of knowledge on property rights. Requiring identity document such as voting cards was also a barrier (Ibid:461-463).

In a more recent study, Jacobs (2013) drew from 32 empirical case studies from Africa, Asian and Latin America, and found that land remains to be distributed to household heads, often to men. Furthermore, in cases where women household heads are allowed, only a few have benefitted or women's access are reduced due to loss of garden plots (in the case of Africa), increase of male authority, restriction of women to housewife roles, or widowhood (2013:872). Similarly, Levien (2017:1129) found through an exploration of



various historical land dispossessions in four countries in Asia, Africa, and Europe, that household heads are the target beneficiaries for compensation or resettlement and rehabilitation, to the disadvantage of women. Morgan's study in Indonesia also pointed out that household heads, often men, are the holders in both formal and customary land ownership, and while inheritance does not discriminate women, men remain the owners of the land in practice (2017:1182).

Deere's (2017) latest study in Bolivia, Brazil, Ecuador, and Venezuela, found that women's formal land rights have been strengthened only in Bolivia and Brazil, where there are strong national-level rural women's movements that advocate for women's land rights. In Bolivia, women benefited through joint titling for couples. In Brazil, women benefited from land redistribution which prioritized female household heads and imposed mandatory joint allocation of land to couples in agrarian settlements. In Venezuela and Ecuador, meanwhile, the lack of strong autonomous rural women's movement produces fewer tangible results (Ibid:259-260). Overall, the governments in four countries have adopted different mechanisms for women's inclusion in agrarian reform: Bolivia implemented joint titling of land for couples, while Venezuela and Ecuador prioritized female household heads. For Brazil, both joint titling and prioritization are espoused, depending on women's status - jointly with their spouse if married or in consensual status, or individually if single, separated, divorced, or widowed. Prioritization of female household heads albeit an important affirmative action, has disadvantaged most adult rural women who are in marriage or partnership. (Ibid:274).

In other words, countries with gender-progressive provision for women's land rights have increased women's ownership of land especially in countries with mandatory joint titling for couples (Bolivia and Brazil) and or pro-active measures such as priority to female household heads (the case of Chile, Venezuela, Ecuador and Brazil). This is in contrast with countries without gender-progressive provisions, like Colombia and Nicaragua. Furthermore, the share of women beneficiaries in land titling programs was more gender equitable compared to the outcome of previous state interventions. Since land titling programs are designed to recognize existing landowners, whereby women acquire land through inheritance, they appear to be more gender equitable (Deere and Leon 2001 and Deere 2017).

Reflecting on the South African context, Walker (2003:28) pointed out that very few, if any, of the women beneficiary communities were able to access land because of poverty, isolation, and dependency on male authority to establish individual rights to land. Whitehead and Tsikata (2003:24)

pointed out that the problem is exacerbated by women's inadequate voice in decision-making on land concerns in formal law and government, and within local level management systems and civil society. In recent study in seven villages in Lao PDR (Somphongbouthakanh, P. and L. Schenk-Sandbergen, 2020), women's lack of land rights in new land law, 'de-agrarianization', and decreased access to forests were found to have threatened women's access to and control over land. In the matrilineal villages, women have lost customary paddy fields while in the patrilineal villages, they have lost communal fields that were used for subsistence agriculture (2020:1-2, see also Julie and White, 2012).

Kieran et.al (2015) pointed out that the scarcity of data in women's property rights in Asia hinders the formulation and implementation of policies that could reduce gender gaps in land rights, poverty reduction and equitable growth. They pointed out the serious data gaps on men's, women's, and joint landownership (2015:120). The review highlights that sex-disaggregated statistics with at least one landownership indicator are only available in 13 out of 32 Asian countries (Ibid:126). Joint ownership between men and women is only reported in India, Nepal and Vietnam and only four Asian countries (Bangladesh, Tajikistan, Timor Leste and Vietnam) have collected both individual and plot-level land ownership and or management on agricultural land at the national level. It is also noted that in Vietnam, there is a smaller gender gap, but men have their names on land use certificate (LUC) more than twice as women (Ibid:136). The lack of sex-disaggregated data on cases of issued land titles in Lao PDR is also noted (Somphongbouthakanh, P. and L. Schenk-Sandbergen, 2020:2).

In sum, the empirical studies have shown that in many contexts, women have partly overcome gender bias in land through the state's agrarian codes and policies that recognized women's equal land rights, but the lack of recognition of women's land rights risks women's access to and control over land. Thus, the state's explicit policy on women's inclusion or gender equality in land reform and its enforcement is deemed crucial. However, the recognition and protection of women's existing customary and communal access to plots or fields and forests are also important. Moreover, having strong women's movement that will advocate for women's land rights is equally crucial. Thus, having an understanding and scrutinizing various constraints to women's land rights also matters, including the persistent data gaps on gendered landownership, especially in Asian countries. Also, the tendency to consider the household as the basis of identifying land beneficiaries should be questioned, since by doing so, land reform inevitably only targets men and exclude women from having land rights. This is further discussed below.



### *Household, production, and reproduction*

The notion of household and household head is very important as it becomes the basis of identifying beneficiaries in land redistribution in many contexts (see for example Agarwal, 1994 in the context of South Asia and Deere and Leon 2001 in the context of Latin America, Kieran et.al 2015 in Asia, and for example Illo 1994, Hill 2011 and Leonard et.al 2015 in the Philippine context). Consequently, feminists in agrarian studies have been critical of most theorizations of peasantries for assuming that households are unified and that household relations are egalitarian- without strong status hierarchy or power relations. Whereas, on the contrary, the household is often seen as one of the sites of women's oppression and exploitation (Jacobs 2002:33, see also Agarwal 1994). As an example, the gender division of labor places women at a power disadvantage within the household. Hence, a household is considered both a site of agriculture production and domestic life, making both household labor and household decision-making crucial to the analysis of the peasant household internal dynamics (Ibid: 30-31).

In most cases, the household assumption leads to women's dispossession of land rights. In Latin American titling program, for example,

*“notwithstanding the increased attention to gender concerns, most land titling projects have given insufficient attention to the bundle of property rights embodied in the household. They often ignore that a household's endowment of land might consist of three forms of property: the wife's, the husband's, and jointly owned property. By assuming that the family farm belongs to the male household head, these programs have often trampled upon women's ownership rights...” (Deere and Leon 2001:444).*

In Brazil, while joint adjudication and titling to couples is available, the husband often represents the household and manages the assets, given the deep-seated patriarchy in cultural practices supported by legal norms (Deere and Leon, 2003 :258). In South Africa, even when women have been listed as independent household heads and as beneficiaries, their land access is still determined and mediated by their membership in patriarchal households (Walker, 2003:143). Doss et. al (2014:10) similarly noted that while women's joint land ownership is often considered, women remain with fewer rights than men. Also, the pattern of inheritance in most countries favor men and in Sub-Saharan Africa, widows often do not inherit land from their husbands.

Jacobs (2002) suggests that women's exclusion from land entitlement rooting from their subordinate position in the household is implicated in the higher regard for production (often equated to men) and lower regard for reproduction (equated to women). While reproduction is generally important in economic terms and in the discussion of land reform, it is rarely addressed

or given equal importance compared to production. Domestic work is usually naturalized and simply considered to be part of women's existence (2002:33). The concept of reproduction had three main meanings: biological reproduction (of children); reproduction of labor; and general social reproduction or ensuring the continuity of social and economic arrangements (Ibid, cited from Edhalm et.al, 1977). The term 'reproductive labour' is often used to signify domestic labor, childcare and agriculture activities such as cultivation of vegetables for family consumption. It is perceived that reproductive work does not qualify as 'work' as it does not produce value or is less valued socially, hence it often becomes invisible (Ibid). The devaluation of reproductive work, therefore, devalues women's work and worth thus, resulting to women's subordinate status and positionalities.

In many societies, women's labor or contribution to production is often undervalued if not devalued, and the unpaid work in their respective homes is equivalent to 'unemployment'. Agricultural work – whether unpaid family labor or temporary wagedworkers - has largely been invisible and undervalued, resulting in difficulty for women to prove their agricultural contributions (Deere and Leon, 2003:269). In effect, the primacy given on economic or production over reproduction places women in a less valued, invisible, and excluded position in socio-economic and political affairs including land entitlement. This divide resonates with Fraser's perspective of the need to overcome the false dichotomy between economic and cultural dimension because this results in the establishment of hierarchies rather than recognition of their equal significance. Moreover, these false assumptions become the norm, and are reproduced and embedded in societal culture and institutions as manifested in practices which are biased against women, or which give preference to men, such as in land redistribution, and land inheritance (Deere and Leon, 2001:941; see also Agarwal, 1994 and Doss et.al, 2014).

In sum, the persistence of male bias hamper women's access to equal rights and gender equality. The distorted assumptions on households, which support male bias and subjugate women, may also result in less value for reproduction and high regard for production and for men. This bias is apparent in the state's enforcement of programs like land reform that continuously excludes women from economic and political opportunities and benefits. Overall, gender equality in land redistribution remains a challenge despite formal recognition of women's rights and institutionalization of joint titling for couples or partners, and even of prioritization of women in land redistribution. Moreover, the problem also lies in the (non)recognition and (non)representation of women's equal land rights within the social movement itself, despite its claim or demands for social justice.

## **2.4 Peoples' Movement, Representation and Land Reform**

Historically, social movements and peoples' collective action and representation have been crucial in attaining social justice and overcoming inequalities including in accessing and controlling assets such as land. Women's movements, especially feminist movements, have spearheaded fundamental shifts in understanding gendered society and societal injustices through activism and scholarships. Feminists' excavation of the breadth and depth of women's situation and position in the society, and gender-based discrimination and oppression, made us realize and understand the then invisible or considered 'normal' or 'natural' disparities between men and women in most societies. Feminists' activism and scholarship have developed the voice to and laid the groundwork for women's visibility in social justice concerns, including in land reform.

Feminists' activism pushed for formal equality through research, advocacies for legal and policy reforms, and justice claim-making by challenging and transforming national and international norm structures. Major changes favoring women and gender equality over the past several decades have been achieved through the collective power of individuals or organizations or both. These changes have been brought about by organized lobbying and collective actions by women's organizations/feminist activists and advocates, both internationally and locally, resulting in various UN policies and structures – such as CEDAW<sup>15</sup>, and the Beijing Platform of Action<sup>16</sup>, the recognition of women's rights as human rights, the policy changes at the national level recognizing women's equal right to land, education, health care, employment, access to credit, amongst others (Batliwala (2008:13-14).

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<sup>15</sup> The Convention on the Elimination of All Forms of Discrimination Against Women was adopted in 1979 by the UN General Assembly. This is often described as an international bill of rights for women. It consists of a preamble and 30 articles that define what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

<sup>16</sup> The Beijing Platform of Action identified twelve action points in the conference held in Beijing, China in September 1995. The Commission on the Status of Women (CSW) has been responsible for organizing, following up the world conferences on women, and systematically reviewing progress in the implementation of the twelve critical areas of concern identified. For more details and updates, see [www.un.org/womenwatch/daw/beijing/index.html](http://www.un.org/womenwatch/daw/beijing/index.html)

Advancement of gender and social equality and justice involves challenging and changing at least three core elements of existing power structures: (1) the ideologies that justify and sustain inequality (i.e., the beliefs, attitudes, and practices that uphold social hierarchies); (2) the way resources – material, financial, human, and intellectual – are distributed and controlled; and (3) the institutions and systems that reproduce unequal power relations – the family, community, market, education, law, and state, amongst others (Ibid).

However, the social movements' priorities were often directed to class issues or redistribution of resources which becomes a limitation or hindrance in advancing gendered justice. The gender concerns are seen as 'divisive' for the movement, regardless of women's active role and often frontline roles in the struggles (Deere and Leon 2003: 272-274; Jacobs, 2013:873). The active rural social movements in different countries such as Brazil, the Philippines, Central America, India, China and elsewhere and the global campaign for redistributive agrarian reform assert the need for redistributive land reform (Ibid:875). Therefore, in most cases, the three-dimensional approach to justice remain marginal or absent in the social movements' strategies, such as 'state-society interaction' (for example, Borras 1998, Deere and Leon 1999) and rightful resistance (O'Brien 1996), used in many contexts.

#### *State-society interaction or bibingka strategy and rightful resistance*

Agarwal (1994:44) pointed out that the increase in women's command over economic resources will require contestations at every level,

*"Land rights are not a 'given' and will not be 'provided' without contestation. Acquiring those rights will require simultaneous struggles against many different facets of gender inequities embedded in social norms and practices, access to public decision-making bodies at every level, gendered ideas, and representations and so on. It will require shifts in power balances in women's favor in several different arenas: within the household, in the community and market and at different tiers of the State apparatus."*

Transforming injustice in the gendered agrarian structure requires contestations at the state and social level. The power of landlords at the local level will suffice to stop any significant redistribution of land from taking place if the initiative is left to the state and local governments (Deere and Leon, 1999). Thus, this can only be effective if the social movement is constantly engaging the state. We cannot depend on the state to solely demand or work for peasant's rights. However, the state's role in raising related issues and providing the institutional mechanisms and macroeconomic and statutory frameworks

for their resolution is still highly important (Razavi 2003:26 cited from Molyneux and Razavi 2002). Borras (1998) coined the state-society interaction as a 'bibingka strategy' – wherein strong peasant movement 'below' is complemented by movement 'above' by the 'reformists' in the government - to positively advance the interests of the landless poor in land reform or land redistribution.

'Bibingka strategy' is derived from Fox's (1993) 'interactive approach' which recognizes that state and society interactions with the social movements 'below' and its interaction with the state 'reformists' from above is, a crucial factor in land redistribution (Borras, 2001:547). As he distinguished,

*“the state-centered approach overemphasizes the autonomy of the state and the capacity of policy elites to overlook the weight of structural-institutional factors, societal groups and international institutions in obstructing redistributive reforms. The society-centered approach, on the other hand, overplays the significance of structural-institutional factors, societal groups and international institutions, neglecting the importance of state and policy elites in conceptualizing and implementing redistributive reforms.” (Ibid)*

These dichotomized views on state-society relations, “have difficulty explaining why, in many cases, societal actors attempt to influence and transform state actors, but in the process are themselves transformed and vice versa.” (Ibid)

The approach “builds on the strength of both society-and state-centered approaches, while attempting to compensate for their limitations” (Fox 1993: 21-22). Further, he argued that “state action is the result of a reciprocal cause and effect relationship between changes in the balance of power within society. Through conflict, each is transformed” (Fox, 1993: 22). Fox added that certain openings from above by reformist actors within the state were met with mobilization by societal actors from below that “shifted the boundaries of what was politically possible” (Ibid:39). Therefore, the interaction between state and society is crucial in transforming societal structure such as agrarian and gender structure.

The bibingka strategy or state-society approach allows us to understand the struggle for land reform in the Philippines. This approach has been actively employed since the institutionalization of CARP. It is along this line that an active push for land redistribution from below and the state 'reformists' land reform implementation from above become crucial to render justice, especially to landless or nearly landless peasants (see Borras 1998). Similarly, in the context of Brazil, “if the state is resistant and reluctant to carry out agrarian reforms, the issue can still be kept on the agenda and in the public

eye if there are dynamic social movements pressurizing for it ‘from below’ (Deere, 2003:23). Fox defined state as “compris(ing) the ensemble of political, social, economic, and coercive institutions that exercise ‘public’ authority in a given territory” (Ibid). Societal actors or social actors is defined as “groups of people who identify common interests and share ideas about how to pursue them” and state actors as “groups of officials whose actions push or pull in the same political direction” (Ibid:29). This therefore implies that state and societal forces are mutually shaping each other.

Social movements and the state therefore are forces significantly influencing land reform processes. Nevertheless, this does not mean that there are always ‘reformists’ within the state nor that the state reformists will act accordingly in response to the demands of the social movement. Hence, such an approach is also limited. Therefore, depending on the ‘political opportunity’, the political action or interaction between the state and social movements could either facilitate or prevent the response favoring peoples’ demands. Tarrow (1994:54) defined political opportunity as “the consistent (but not necessarily formal, permanent or rational) signals to social or political actors which either encourage or discourage them to use their internal resources to form a social movement”.

In the Philippine context, the political opportunity was provided by the ‘democratic space’ created by the post-Marcos dictatorship, which gave way to election and governance participation, and policy reforms including land reform, among others. Meyer and Tarrow (1998) pointed out that while unified state actor can lead to state action towards desirable reforms, splits among the various factions of state actors can also facilitate the emergence of favourable changes in the ‘political opportunity structure’ (Tarrow, 1994:54). These changes in turn can enhance the autonomy and capacity of claim makers from below to demand claims and rights, and/or forge and expand alliances with some groups within the state (Ibid). For peasants a political opportunity can come through available external allies that may provide necessary political and logistical support, which are normally inaccessible and unaffordable to the peasants (Borras, 1998:9-10). In this case, Borras was referring to international social movements like La Via Campesina, with whom local organizations such as UNORKA was affiliated with, as well as international funding agencies that supported local peasant campaigns such as Interchurch Organization for Development Cooperation (ICCO), amongst others.

Dela Porta and Diani (2009:3-18) paid more systematic attention to the political and institutional environment in which social movements operate. Arguing that the ‘central focus’ is the relationship between institutional



political actors and protest, this study looked into the relationship between the state as implementer of the agrarian reform program and the peasants' movement as political actors that tend to use different collective strategies to pressure and advance rights and justice claims. The strategies and tactics used are determined by and change depending on the political opportunities that encourage (or discourage) the peasant's persistent actions and mobilizations.

This dynamics between and amongst state actors and institutions continuously alter the political opportunity structure. This structure is where social actors can base their collective action and select access routes through which they try to realize their agendas. Moreover, state also refers to this structure in designing their specific political strategy (Tarrow, 1994:40-61). This study presented how the peasants use their agency - using their collective actions and voices to engage, disengage and engage the state again. They do these to constantly push the government agencies to respond to their demands and justice claims, to the extent of employing 'rightful resistance'. According to O'Brien,

*"rightful resistance is a form of popular contention that 1.) operates near the boundary of authorized channels 2.) employs the rhetoric and commitments of the powerful to curb political or economic power and 3.) hinges on locating and exploiting divisions among the powerful. In particular, rightful resistance entails the innovative use of laws, policies and other officially promoted values to defy "disloyal" political and economic elites; it is a kind of partially sanctioned re-sistance that uses influential advocates and recognized principles to apply pressure on those in power who have failed to live up to some professed ideal or who have not implemented some beneficial measure." (1996:33)*

Franco (2001:1) noted that "the concept of rightful resistance best captures the necessity and legitimacy of heightened militancy (expressed through multiple forms of collective action). Peasants struggling for agrarian reform employ this strategy due to the need to narrow the gap between 'what is promised' and 'what is actually experienced' by the rural poor." The rightful resisters frame their claims with reference to protections implied in ideologies or conferred by policymakers (Ibid). They seek the enforcement of existing commitment in accordance with prevailing statutes (or at least not in violation of them), assert claims largely through approved channels, and use a regime's policies and legitimizing myths to justify peoples' defiance (Ibid).

Furthermore, O'Brien (1996:34) pointed out that "rightful resisters mitigate the risks of confrontation by proclaiming their allegiance to core values." Resistance is noisy, public, and open, and it seeks the attention of the elite or powerful sectors in the society. They contrast with 'everyday resisters' who opt for quiet, disguised and anonymous dissent: foot-dragging, poaching,

sabotage and other weapons of the weak<sup>17</sup>. Rightful resisters often engage in disruptive but not quite unlawful collective action, which inevitably attracts the attention of officials responsible for maintaining social peace and administering justice (Ibid:35). They use the state's vocabulary to advance their claims and locate support among the powerful and to afford some protection when plans get interrupted. Launching attacks are also found legitimate since it forces unresponsive authorities to recognize them and to avoid the risk of being accused of unfaithfulness to the system of power they claim to represent (Ibid). Rightful resistance is employed especially in the context of land-lords' strong opposition against land redistribution and the state's non-implementation of the land reform program. Apparently, employing this strategy was not enough in the Philippines, since peasant women must be in the front-lines of the struggles as the key findings in this study suggests.

However, since the scholars' focus is likely on the redistribution and political economic dimension only, they failed to account for and reflect on the gendered land contestations and justice claims, whereby political actors or agents for land redistribution in many cases consist of both men and women (and are even led by women, as this study will show). In addition, the absence of a gender lens possibly results in a failure to recognize the status hierarchy between political actors, as well as the differential needs and interests between men and women. This does not only seem to be true among scholars but also within and amongst the movements, as briefly tackled above and discussed further below.

### *The social (women's) movement and gender*

The process of agrarian reform has been slow, especially for women, aggravated by the fact that even within the social movements, positioning women's rights is also for various reasons a raging battle. These include the devaluing of peasant women; (non)recognition of women's distinct interests and equal rights, for example, separate or equal entitlement to land; (lack of) gendered policy within the movement to ensure women's equal rights; and the rights' (non) assertion from the peasant women themselves, amongst others (see for example, Agarwal 1994; Stephen, 1993; Razavi 2003; Deere and Leon 2003; Jacobs 2013; Morgan 2015; Levien 2017; Hennings 2019). The social movement or even women's movement's focus are more often on land redistribution or against land dispossession and they often overlook the equal importance of recognizing women's rights and gender equality in advancing justice claims.

<sup>17</sup> See Scott, J.C. (1985).



In Brazil, the evolution of the demand and struggle for women's land rights in agrarian reform within some of the most radical and dynamic rural social movements in the country, such as the cases of MST and INCRA<sup>18</sup>, had been slow, occasional or remained marginal (Razavi, 2003:10). Rural women's demands were focused on other issues like labour and social rights (i.e. paid maternity leave, entitlements to retirement benefits, and so on). Lately however, the organizations recognized that marginalization of women's land rights can be detrimental to the development and consolidation of the agrarian reform settlements (Ibid). Earlier, Stephen (1993) looked at two case studies in Brazil and Chile and found that overtime women's participation in grassroots organizations with egalitarian gender ideology could help transform their visions of themselves as political actors (1993:33).

Deere and Leon (2003) pointed out that raising the issue of women's land rights, which is contingent on the initiative of the rural unions' women members, did not result in increased numbers of female beneficiaries, since land rights for women was not a top priority of rural social movements. Class and gender issues are even considered to be 'incompatible' (2003:257). However, there is emerging awareness that "failure to recognize women's land rights was prejudicial to the development and consolidation of the agrarian reform settlements... coupled with effective lobbying encouraged the state in 2001 to adopt a specific mechanism for the inclusion of women in the agrarian reform" (Ibid). In the policy of INCRA, the household head was named in the title, and there was no provision for joint titling to couples because "the agrarian reform registry (*cadastro*) does not have space to put the couples name of the man and woman, there is only space for one name, that of man". The organization also prefers to give title to a son (even if he is legally under-age) than to give title to a female household head. If a male beneficiary dies, the land right was given to the eldest son rather than to the widow, or if a female household head with land rights gets married, the rights were sometimes transferred to her spouse (Ibid: 271-2).

In MST's experience, women had been very visible in land occupations, estimated to be between one third to one half of the participants, yet are often on the front lines confronting the police. Yet, in the past the organization prioritized collective adjudication and land titling. Land is titled to the collective or in the name of all the 'assentados' regardless of collective or individual production (Ibid:272-4). "Gender issues were seen divisive issues for the movement, particularly at a moment when struggle for agrarian reform was

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<sup>18</sup> MST stands for Movimento dos Trabalhadores Rurais Sem Terra, a leading agrarian reform movement in Brazil and INCRA stands for Instituto Nacional de Colonização e Reforma Agraria. For further details see for example Deere (2001).

becoming even more contentious, and in some cases, violent. The primary concern was for the unity of the movement – a struggle that demanded unity from all family members.” (Ibid:279). At present, joint adjudication of land to couples is included as MST policy (Ibid). Similar to the claim of Agarwal (1994:9-11), it could be noted in the context of South Asia that class issues are prioritized over gender equity and gender is regarded as divisive and distracting, even among strong advocates of redistributive land reform (that is the Marxist political parties and left-wing non-party organizations). However, these studies are already outdated. In a more recent study in Africa, Asia and Latin America (Jacobs 2013:875), however, a similar reality is apparent, since in most social movements, gender concerns are still considered as antagonistic or as distraction from class struggles in spite of women’s activism to equal land rights (2013:875).

Agarwal also pointed out that the same gap is reflected within academic scholarship, “where relationship between women and property remained unattended and little theorized: ...studies are focused on household as unit of analysis, neglecting the intra-household gender dimension; in many studies women appear as objects of the study, not as subjects; occasionally seen but rarely heard; presence is registered but seldom their perspective; gender relations are depicted as essentially unproblematic.” (1994:11). A recent study that looked at the political reactions from below in response to land grabbing in many different contexts raised a similar point on the scholarship’s continued marginal consideration especially on ‘gendered agency, responses and resistance.’ (Hall et.al, 2015:482).

These suggest that the recognition of women’s rights and raising gender concerns in land redistribution remain marginal and less theorized and understood. In addition, the peasant women’s active role in the land reform struggles may have less impact on organizational decision-making and implementation of state policy that aims to recognize and ensure women’s distinct interests and needs. The peasant women themselves, regardless of their active participation and agency, may not necessarily advance their equal land rights beyond land redistribution. It is therefore worthy to further understand women’s reluctance to exercise their agency to advance equality in advancing land reform and justice claims.

#### *Women’s agency: strategic gender needs and collective action*

What is the feminists’ concept of agency, collective action, and gender needs to better understand peasant women’s agency in land reform struggle and their contribution to the advancement of gender justice?

Rao (2017:45) conceptualized women's agency as built towards sharing rather than independent or opposites (victimization vs resistance), and as continuums between these extremes, exercised in multiple overt and covert ways. "Both women and men within households seek both individual gains or material wealth but also cooperation and reciprocity, which is also central to their lives and well-being." (Ibid). For her, the exercise of agency varies vis-à-vis different assets and often, negotiation works better than outright land claims. Thus, "power is not exercised in a political vacuum, agency is produced through interactions and through legitimacy" (Ibid:46). The patriarchal system that supports male domination and control on resources and societal institutions legitimizes and maintains men's power and objectifies women as men's property that needs to be 'protected'. Hence, this system delegitimizes women's resource claims both socially and morally (Ibid). Inconsistent and contradictory laws and policies legitimize and indicate the necessity to set gender-just standards in the rule of law, which can only be effective as it gains social, economic, and political legitimacy (Ibid:49).

Furthermore, she pointed out that women's agency is often not directed at furthering women's personal goals, not because of false consciousness but from women's own judgment of life quality that refers not only to wealth but towards relationships with people and resources. Therefore, devotion to household solidarity, including promotion of "joint decisions on the use, management and control of assets, irrespective of who the owner is" is deemed one of the "key strategies for survival and well-being" (Ibid:50). There are overt and covert exercises of agency or women's resistance and contestation, "ranging from individual acts of covert non-compliance to overt confrontation by women's organizations, with varying degrees of covert group action and overt individual action in between." (Agarwal, 1994:84). Within the household, women's resistance is directed against unequal distribution and control of resources and against the authority of family members such as husband and parents-in-law (Ibid: 85-87). "Both silence and words can be a means of resistance and protest" (Ibid:88). Women's individual covert resistance attests that women do not necessarily connive with oppression that could lead to more organized overt resistance, crucial in recognizing women's common interests and in challenging structures of inequality (Ibid:95).

In India, women actively participated in the class-based and overt group resistance over land rights (Ibid:97-99). Nevertheless, the unequal gender relations persisted both within and outside the movement, as women's rights in land was overlooked, and because there was a failure to see domestic

violence as an integral part of broader politics. As a result, after the struggle, women returned to their families with largely unchanged gender relations (Ibid). Moreover, for her, a group-overt resistance is both vital to establish the legitimacy of women's demands for equality and justice (including land rights) and to attain women's demands (Ibid:117, see also Stephen, 1993). Thus, it is important for women to have 'expressed demands', but this expression is not the only indicator of women's needs and preferences, and therefore the expression is not enough basis for demands to not be considered in social policy. To quote, "it is equally critical to recognize that the deprived may have incomplete information about all options, and thus fail to mention those that seem-out of reach" or "they might adapt preferences and felt needs to what they see as attainable" as women's unexpressed demand does not mean it is negligible (Agarwal, 2003:189 and 191).

In her latest study, Agarwal (2015:2-3) argued that the 'power of numbers' and implicit shared interests can result in improvement in the conditions of marginalized people and that the conscious recognition and collective articulation of common interests can boost the power of numbers. The 'women-in-themselves' especially in a mixed group can boost the outcome for women notwithstanding 'women-for-themselves' social consciousness. Number itself can direct substantial power (Ibid:17-18). Yet, she pointed out that 'women-for-themselves' consciousness could be advantageous specially to produce solidarity amidst difference (Ibid:4).

For Moser, women's interests are difficult to generalize as it may be determined by their biological similarity as much as by their various positions – their class position, ethnic identity, and gender, amongst others (Moser, 1989:1802). Women, however, may have common interests – i.e. gender interests - that women (or men) "may develop by virtue of their social positioning through gender attributes, either strategic or practical" (cited in Molyneux, 1985: 232) or in Moser's terms "practical" and "strategic gender needs". "Strategic gender needs are those needs which are formulated from the analysis of women's subordination to men, and deriving out of this the strategic gender interest identified for an alternative, more equal and satisfactory organization of society [than] which exists at present, in terms of both the structure and nature of relationships between men and women." (Ibid:1803).

The strategic gender interests include, "the abolition of the sexual division of labor; the alleviation of the burden of domestic labor and child-care; the removal of institutionalized forms of discrimination such as rights to own land or property, or access to credit; the establishment of political equality; freedom of choice over childbearing; and the adoption of adequate measures against male violence and control over women." (Molyneux 1985:233)

Practical gender interests on the other hand are “those needs which are formulated from the concrete conditions women experience, in their engendered position within the sexual division of labor, and deriving out of this their practical gender interests for human survival... usually a response to an immediate perceived necessity which is identified by women within a specific context.” (Ibid; Moser 1989:1803). Molyneux pointed out that practical gender interests “do not generally entail a strategic goal such as women’s emancipation or gender equality...nor do they challenge the prevailing forms of subordination even though they arise directly out of them” (1985:233).

Using this conceptualization of women’s strategic and practical gender interests or needs in analyzing the peasant women’s deployment of agency in this study seems to point out the overlaps, rather than distinct conceptualizations of practical and strategic gender needs especially in the case of land concerns. Linking this with the deployment of Fraser’s justice framework, which aims to simultaneously address women’s subordination, and overcome the dichotomization of gender and class, would therefore lead us to ask, “What constrains peasant women’s attainment of integrative justice and why are they being constrained? What are the changes that come about and how are continuities maintained?”

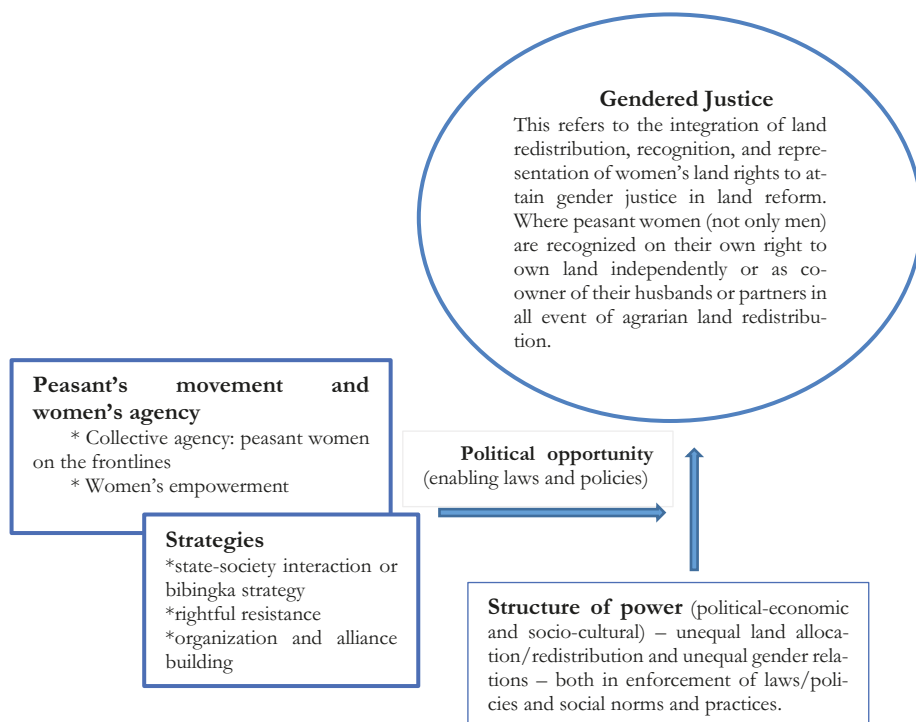
## **2.5 The Research Analytical Framework**

The core of this study is to understand how peasant women’s struggles in land reform contribute to the attainment of gender justice. It specifically examines, how peasant women mobilize and organize to advance land reform and women’s practical and strategic interests. Which strategies and political actions did they use? What were the roles of men and women? Did they pursue both land redistribution and the recognition of women’s equal land rights? If not, why? What are the changes and how are continuities maintained?

This begins by locating gender in land reform claims and contestations, grounded in the assumption that peasant women’s equality in resources such as land is a necessary condition to transform existing gendered power structures and to achieve gender justice. Fraser’s approach to justice pertains to the idea that peasant women (not only men) could represent and achieve equality over economic resources in this case through access to and control over land through land reform, and equal societal status (without subordination to men). This approach is crucial to transform both class and gender relations, towards women’s empowerment, gender equality and societal justice.

The illustration below (Figure 1) presents the analytical framework of this study, illustrating the key theories and concepts discussed above and its inter-relationships to understand the peasant women's struggles and justice claims and its contribution to gender justice.

**Figure 1:** Agrarian gendered justice framework



### *Peasant women's movement, representation, and agency*

Women (and men) peasants' claim and collective agency is fundamental to advance and acquire land redistribution and equal recognition of women's land rights. Peoples' exercise of agency and or initiatives to act are necessary (see for example, Borras 1998; Agarwal 1994, 2015; O'Brien 1996; Deere and Leon, 2003). People are not only recipients but agents of justice, co-deciding the structures of production and distribution that determine peoples' lives. Hence, redistribution and recognition alone are insufficient if it does not stress the important political question of exercising power (Forst, 2007:300). As Fraser (2005:6) puts it, "[T]he political dimension sets the procedures for staging and resolving contests in both the economic and the cultural dimensions: it tells us not only who can make claims for redistribution and



recognition, but also how such claims are to be mooted and adjudicated.” The representation here therefore refers to the peoples’ political exercise of agency and actions.

In the Philippines, given the highly political contestation on land (reform) redistribution, peasant women’s and men’s claim remain equally important both at the national and local levels. Their claims also require employment of different strategies such as the *bibingka* strategy (Borras 1998) and rightful resistance (O’Brien 1996), with peasant women on the frontline of the struggles (as the findings of this study suggest). The women’s and men’s peasant movement engage the state to claim justice through CARP.

The concepts of ‘state-society interaction’ or ‘*bibingka* strategy’ in Borras (1998) terms, are utilized to understand people’s engagement, specifically the peasant (social) movement’s engagement with the government agencies (that is, the DAR, and related agencies), and other institutions (such as the executive, legislative, judicial institutions, media, and the church) to advance land reform. The democratic space post-Marcos era also created the opportunity for the civil society to position itself in the electoral process and consequently, build allies and organize ‘reformists’ within the government. The formation and campaign for election of partylist<sup>19</sup> groups like Akbayan is an example of the social movement’s project to engage in direct governance which has become one of the vehicles to advance initiative/policies such as land reform and women’s rights at the legislature. However, the strength of the movement ‘below’ and the reformist ‘above’, combined with political, economic and socio-cultural processes taking place in a given period, determine the response to the people’s demand, as in the case of the distribution of various landholdings during the administration of Secretary Garilao and Morales (see Borras 1998; Borras and Franco 2006).

Thus, the political actions taken by the peoples’ movement ‘below’ and allies or ‘reformists’ from above are considered crucial in understanding the transformation and overcoming of injustices such as in land access and control. Achieving gender justice in land issues, therefore, may also depend on such a strategy. Moreover, the peoples’ movement may also utilize various strategies to achieve their goals depending on the type of their demands, for

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<sup>19</sup> The party list system was instituted after the fall of Marcos to give an opportunity for the basic sectors or the ‘marginalized’ groups to be represented at the Congress of the Philippines. The left group who decided to engage the government given the political space together with other progressive groups formed Akbayan Citizen’s Action Party. For more details see [www.akbayan.org](http://www.akbayan.org). There are many party list groups instituted since the party list system’s birth, but not all represent the marginalized sectors, and some of them are dubious.

example the resolution of a land case. The research explores these strategies as the two cases in this study will illustrate. Peasants utilize “rightful resistance” such as land occupation as an option to push for their claims (Benjono 2010). Yet, utilizing land occupation or self-installation may also depend on the political opportunity that is available and useful to advance peasant cause at that moment. Overall, this suggests that peasants’ actions such as *bibingka* and rightful resistance and political opportunity influences the advancement of land redistribution and possibly the recognition and representation of women’s rights. It is therefore logical to ask, what are the roles of women in utilizing these strategies and why have they played those roles? Are women’s rights to land equally prioritized in the advancement of land redistribution? If not, why?

*Land redistribution, recognition, and representation of women’s rights*

As explained above, an integrated approach to justice provides a framework to argue that the redistribution, recognition, and representation dimensions of justice are equally important and cannot outweigh each other (Fraser 1999, 2005). Rather, both redistribution and recognition must be both visible and addressed, together with the political dimension, to transform the economic, cultural, and political structures of the society and ultimately attain justice (Ibid).

It is often believed (see for example Agarwal 1994; Deere and Leon, 2003) that the achievement of peasant women’s equal land ownership rights is a necessary condition to change gender relations – an increase in women’s command over economic resources, consequently influencing gender and social relations. Yet, women’s land rights are not a given, and this research aims to explore the role of women in agrarian contestation and to understand to what extent their agrarian claims contribute to gender equality and justice. However, the shifts seem to continuously involve the contestation of inequalities in existing land redistribution, but not necessarily towards the gendered ideologies and social practices that continuously hamper the establishment of equality between women and men.

The state’s agrarian program implementation and people’s collective agency alike may not necessarily result in the advancement of both the redistribution of land and recognition of women’s rights. Instead, the economic representation or redistribution possibly remains the priority. The concern then is to explore how and why in the experience of the peasant women’s and men’s land struggles, the peasant women’s rights are persistently undermined. What hinders women’s rights in land? One tension point, as pointed above,



is the state's land reform policy implementation that remains focused on household as a basis of identifying land reform beneficiaries. This is informed by the assumption that the family is an 'altruistic' institution (a unitary family), which remains the basis for undifferentiated treatment between peasant men and women (for deeper discussion see for example Folbre 1986, Kabeer 1991). This is despite evidence of intra-family inequalities in the distribution and expenditure of resources and decision-making which indicate the need to account for multiple actors with various preferences and interests (for example, Agarwal, 1994; Levien, 2017). The state, the community, and the family as interacting arenas impose tensions for recognition of women's rights, which may, at specific junctures and in different contexts, either converge or reinforce each other, or move in contradictory directions.

From the literatures discussed above, it is possible to argue that for women to acquire and exercise control over land, simultaneous struggles or representation on land redistribution and campaign for recognition of women's rights are necessary. This involves contestation of inequities inherent in existing distributions of material resources such as land, as well as of gendered ideologies and social practices. As Agarwal pointed out, "the very scale of struggle that will be necessary constitutes a formidable barrier, but it is precisely this which also gives this struggle its unique potential to transform women's lives." (Agarwal, 1994:81). In other words, there seems to be no other way but to continue challenging different barriers towards gender equality and women's rights if the aim is a more holistic form of justice.

And as Young (1990:20) and Ackerly (2009:10) suggested (and also as pointed out above), attaining justice entails an evaluation of rules, attitudes, interactions, and policies which perpetuate gender inequality. These four categories are crucial to the analysis of peasant women's struggles for land as linked to redistribution, recognition, and representation. Specifically, it is crucial to deliberately question and understand: (1) the rules (e.g., household as basis for identifying land reform beneficiaries); (2) attitudes (for example, amongst women, between peasant men and women or the government officials towards peasant women); (3) interactions (e.g., within organization or households or amongst government officials); and (4) policies (e.g., the land reform and family code) that produce or reproduce power asymmetries or hierarchies that result in exclusion (or inclusion) of peasant women from land redistribution processes. The representation and recognition of women's rights in land redistribution, therefore, may emanate from understanding these factors that act as barriers and points of intervention in different contexts.





Two sons of KMPCI members. Perhaps they were dreaming for their parents to have the final control over the farm. Taken at the awarded land to KMPCI which members have since occupied. Taken during the interview in 2013.



## 3

## Research Methodology

## 3.1 Introduction

This chapter details the study's epistemological and methodological approaches, including reflexivity issues encountered during data collection. Specifically, feminist epistemological approaches were employed to examine the status of women's land rights and how peasant women's struggles for land reform and land entitlement in the Philippines contribute to gender justice. Fieldwork and two case studies in the Philippines were conducted drawing from in-depth and informal interviews, participant observations, and focus group discussions to answer the central research question: *In which ways and to what extent have peasant women's struggles for land rights and land entitlement in the Philippines contributed to fostering gender justice in the ongoing land reform process?*

Interviews allowed for a better understanding of women's (and men's) individual experiences and perspectives regarding their land struggles. Policy actors and agrarian activists and leaders from various organizations were also interviewed to gather further data and provide a broader perspective of the context and land reform situation and struggle in the country (see Table 3 for a full list of interviewees). Documents and various studies pertaining to Philippine land rights and struggle, land reform policies and related data also serve as data sources.

## 3.2 Epistemological foundations and research methodology

## 3.2.1 Epistemological foundations

As discussed earlier, this study is guided by the integrated justice approach, which equally addresses the economic, cultural, and political dimensions of societal concerns (Fraser 1999, 2005). Hence, this study equally locates gender and class concerns in the land reform contestations. This approach coincides with feminist standpoint theory, which recognizes the centrality of social location and experience (in this case of peasant women and men), in understanding and interpreting information.

Drawing on feminist and Marxist theories, standpoint theory, which was initially formulated by Harding (1994) and later developed by Nancy Hartsock (1998), construed that socially and politically marginalized groups, particularly women, possibly possess greater epistemic privilege (or knowledge) due to their marginalization, allowing them to view situations from the perspective of both the oppressor and oppressed. It is in this lens that peasant women are viewed in this study, because they allow us not only to understand their land struggles but, ultimately, to comprehend structural issues through the eyes of the oppressed. This approach allows for an understanding of the centrality of peasant women's lived experiences and feminist narratives in the analysis of the Philippine land reform issue and gendered land rights struggles. Peasant women and peasant women's rights advocates' narratives form a central element of the analysis because their varied lived experiences, contexts, and positionalities are a repository of greater knowledge concerning gendered agrarian issues.

Meanwhile, through a gender justice framework, this study not only considers the peasant women and feminist perspectives and experiences but also regards the peasant men's and activists' point of views as relevant. Gender justice entails awareness that gender is not conflated with or reduced to women and is here intended to provide an account of power relations produced and reproduced by gendered and classed inequalities.

Overall, the epistemological approach is complemented by qualitative analysis based on fieldwork, personal accounts, relevant studies, written documents, policies and other relevant secondary data, to unpack the peasant women's complex contexts and how their social positions (as peasants and as women) intersect and influence their land rights struggles and the broader land rights movement. Intersectionality approach understands the multiple and complex experiences of women and attempts to capture the consequences of the interaction between two or more forms of women subordination (Yuval-Davis, 2006). This study, however, is only situated at the intersection of two forms of social positions and systems of oppression, namely class and gender, recognizing that peasants can be men or women, landless or owners of small plots of land, and potential beneficiaries of agrarian policies, amongst others. This heterogeneous perspective of peasants that include women contrasts with established analyses in rural and critical agrarian studies (for example, Borras and Franco 2005, Borras 1998, Fox 1993), and contributes to the debate on peasant movements and agrarian issues by providing a gender analysis.

This study also seeks to understand the agency of peasant women (how they perform, conform, negotiate, or defy their land claims) by scrutinizing gender and class relations which are considered as both a sphere of social

relation and a location of power/social position. These often simultaneously exist as a location of power or a location of multiple oppressions for both peasant women and men. The intersection between class and gender is therefore a key to analyzing the case of peasant women in the Philippines which coincides with the integrative justice approach.

In summary, qualitative methods comprising of interviews, focus group discussions, participant observation, examination of reports and/or related written documents, policies, other relevant studies, and secondary data, and personal accounts, inform the analysis of this study.

### 3.2.2 *Research methodology and methods*

This study focuses on two cases of community-based land struggles: the ongoing struggle of SAMFAI to gain formal access to and control over land, and the struggle of KMPCI to gain access to and control over the ‘already-awarded’ land since 2006 (these awarded lands were only fully accessed in 2014, shortly after the conduct of the field interviews) and the remaining land they are still fighting for. The aim of selecting two cases is not to compare or contrast the two cases, but to draw from two different yet related experiences and processes that form part of the Philippine land reform struggle. The two cases are both active agrarian cases, located in two different regions, one in Luzon (Masbate) and one in Visayas (Iloilo), and situated in different types of agrarian areas, coconut and corn and sugarcane and palay areas, respectively (see Chapter 6 for a more detailed discussion).

The two case organizations were purposively chosen from amongst member organizations of *Kababaihan Pilipinas* (KP—Movement of Philippine Women), a federation of peasant women’s organizations that was federated through the Philippine Ecumenical Action for Community Empowerment (PEACE) Foundation<sup>20</sup> Gender Program. Many KP and UNORKA leaders from various locations, however, also participated in this research. The KP envisions a just and humane society where every farmer and citizen, man, or woman, has equal access to and control over resources; a society free from any discrimination and violence; a society with successful entrepreneurs and responsible citizens. To attain this vision, KP strives to unite, strengthen and consolidate its organizational members, local and national; and to strengthen

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<sup>20</sup> PEACE Foundation, Inc. is a non-governmental, non-profit organization established in 1972, which was focused on organizing urban poor communities and later the peasants, founding the national peasant movement or KMP. After the split in CPP-NPA-NDF, PEACE engaged the government on CARP implementation and supported the founding of UNORKA in 2001 and organized several local NGOs and POs including the KP.

its advocacies that effectively push for agrarian reform, rural development and democratization (ARRDD), and women's rights (KP 2009)<sup>21</sup>.

I also interviewed other peasant women leaders of the PKKK or Rural Women Coalition, for more data and further analysis. Women's rights advocates and feminists from the PKKK and other organizations, and other activists, including men working on the land reform issue also participated in this study.

Interviews provided individual accounts of lived experiences and grounded perspectives not just of the peasant women and men, but also of policy actors and agrarian activists and leaders (see Table 1.3 for a full list of interviewees). Related reports, documents and policies of the DAR, NGOs, academe, and various studies pertaining to agrarian and land rights struggles also informed the analysis.

Lastly, the historical discussions of the peasant movement and the evolution of feminism and women's movement in the country are equally important here. These discussions locate and contextualize the current land struggles of peasant women and the analyses and the arguments of this study.

### **Methods**

The methods used were mostly individual and group interviews with people involved in one way or another in peasants' and peasant women's struggles for land reform, with emphasis on the two cases mentioned above. Different qualitative methods were combined; hence a mixed methods approach was used: interviews, focus group discussions (FGDs), participant observation, literature, and policy/document analyses. Specifically, in-depth interviews were conducted, except in the case of DAR officials, and some of the feminists/women's movement leaders.

During interviews in the two communities, respondents could share their stories in groups (of 2, 3 or 4) in a way they found comfortable. Open-ended questions, presented later in this chapter, were used to guide the interviews, and prompts from their stories were used to clarify or explore certain issues more deeply. The interviews were conducted flexibly to allow participants to tell their stories and to answer questions arising during the conversation. The

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<sup>21</sup> The federation was formalized in 2006. Unfortunately, due to a lack of financial resources and funding, the federation is not currently operating in the ideal sense. For example, the last formal meeting the federation held was in 2013. Member organizations are operating independently at the local level, while occasionally some activities are organized at the national level. For such a young federation, it is difficult to operate without support, for example, from the PEACE Foundation, Inc., which initially supported the federation's formation.



interviews usually lasted from one hour to more than two hours. Most participants were assigned pseudonyms considering the contextual sensitivity, with their communities being marked by violence and continuous harassment.

The focus group discussions (FGD) were conducted specifically with members of the SAMFAI and KMPCI, and with KP leaders. The FGDs helped acquire a general background of the issue, including justifications of certain actions that could prompt deeper inquiries during individual interviews. This means that some of the FGD participants were also interviewed individually. The methods were complementary, for example, interviews allowed me to zoom in on individual experiences of harassment or threats during their land struggles that may have been mentioned during the FGDs.

The review of policy documents was conducted to analyze the changes in policy that led to the decline (or the lack thereof) of gender inequality over time. Also, the analysis was related to peasant women's empowerment (for example through the increase of their knowledge on laws that provide them equal rights). The number of female beneficiaries of awarded land, were also scrutinized. Pertinent documents include: DAR accomplishment reports (1998 to present), agrarian policies, and related rules and regulations concerning their changes and impacts, to particularly examine the existing gaps in achievements (based on DAR records for example) vis-à-vis legal provisions and experiences of peasant women on the ground.

### 3.2.3 *Research participants*<sup>22</sup>

The participants consist of individuals and groups that engage in land reform processes specifically implemented by the DAR. They are men and women, young and old, organizational leaders, members, and non-members coming from peasants' organizations, peasant women's organizations, and from women's and social movements. This diversity allowed for heterogeneous perspectives on land rights and gender justice.

Experienced activists and feminists and those who newly emerged were also interviewed to understand the history of the peasant women's land rights

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<sup>22</sup> Participants or interviewees here are interchangeably used referring to the people who participated or interviewed during the research. The word participants though is preferred to emphasize that they are considered here as fellow human beings, and not just objects of the research study. This is elaborated in the discussion of reflexivity (see p. 56 of this dissertation).

struggle, the differences and similarities between female and male activists, different standpoints regarding gender mainstreaming, and their importance in the general women's movement and social movement. 'Experienced' feminists here refer to feminists of the 1970s and 1980s (when feminists in the country became more active), who continue their activism up to the present time. So-called 'new' feminists on the other hand refers to those who started their activism in the 1990s.

Other participants include: 18 DAR officials at the national and local levels, mostly, if not all, are heads of DAR units or key officers. They were interviewed regarding their views and stand on gender mainstreaming and its impact on peasant women's land rights and the land reform program. The department's reports and policies, including organizational documents, were also reviewed to complement these interviews.

Four officials from other agencies concerned with gender mainstreaming were also interviewed, including the Philippine Commission on Women (PCW) and the Land Registration Administration (LRA). Other sources of information included the Local Government Unit (LGU), the Department of Agriculture (DA), the Department of Social Work and Development (DSWD), the Philippine National Police (PNP), and other organizations. Table 3 below shows the full list of participants, including their affiliated organizations and the number of participants from each organization.

**Table 3:** List of interviewees

Level	Institution or organization	Number of participants
National	DAR <sup>23</sup>	6
	PCW	1
	LRA	3
	PKKK	4
	KP	2
	<i>Sarilaya</i>	3
	Unorka	3
	<i>Paragos</i>	1
	TFM	3
	<i>Pisante Kaisamo</i>	1
	PEACE	2
	Sulong Carper	1
	Rights Network	1
Local	DAR	12
	DSWD	1
	DA	1
	LGU <sup>25</sup>	4
	PNP	2
	<i>Progreso</i>	2
	Niffi/Noffa Unorka	2
	World Vision	1
	<i>Taytay sa Kauswagan</i>	1
	Caritas	1
	JM HonradoFoundation	1
	Siliman	1
Cases <sup>24</sup>	SAMFAI	51
	KMPCI	41
<b>Total</b>		<b>154</b>

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<sup>23</sup> Participants from the DAR are gender and development (GAD) focal persons, unit heads, or directors in the units of operation, planning, administration, or information.

<sup>24</sup> Case participants were members and non-members of either SAMFAI or KMPCI, male and female, young and old. From SAMFAI, 33 were women and 18 men, while from KMPCI, 26 were women and 15 men, adding up to a total of 59 peasant women and 33 men.

<sup>25</sup> The LGU is the local government unit of the provinces of Masbate and Iloilo; participants included the mayor of Banate Iloilo, the municipal administrator of Monreal, and the two captains of *barangays* Famosa and Banate.

### Other sources of information

The DAR's reports and policies including organizational documents and other resources also served as key sources of information and analysis.

### 3.3 Research questions and information

To answer the main research question, I delved deeply into the peasant women's stories and experiences through their narratives of resistance. Table 4 below shows the questions, information, sources, and methods employed. It must be noted, however, that the questions only served as a guideline and the researcher deviated from these at some point during the interviews to probe or obtain more extensive information.

**Table 4:** Research information and methods

Research Questions	Information	Sources/Informants	Methods	
What does the ongoing struggle of peasant women on land rights in general entail? To what extent are peasant women participating in the land reform struggle?	Ongoing (and historical) peasant women's struggles	Individuals and groups of old and young peasant (wo)men leaders, e.g. KP/PKKK/Unorka; DAR documents/reports and policies	Individual interviews and FGD	
What are the activities and mechanisms being undertaken to sustain and gain from the struggles? What are the strategies and tactics employed?				
How do they maintain successes, if any? What are those successes? How does it affect peasant women?				
How did the peasant women's movement start?	Historical evolution	Historical documents; 'experienced' peasant women's leaders and male leaders; feminists and agrarian activists	Individual interviews	
What are the unities/tensions amongst peasant women vis-à-vis the peasant movement? And of peasant women vis-à-vis the broader women's movement?				
If there are differences, how were they handled?				
What are the unities? Have changes been made? How are they reached and sustained?				
What is the stance of peasant women?	Position on peasant women's independent rights to land	Individuals and groups, i.e. KP/PKKK/Unorka etc.	Individual interviews and FGD	
Are there unity or differing opinions? What are they? Why?	Individual titling versus communal rights			
Are peasant women aware of their individual rights?				
In their opinion, what are the advantages/disadvantages of individual/communal land rights? Which do they prefer? Why?				

How do peasant women and advocates advance women's land rights within and amongst the broader peasants' and social movement and women's movement?	Relationship between and amongst peasant women/peasant women's movement/peasant movement/women's movement	Documents; peasant women leaders and members; peasant men leaders and members	Individual interviews
What are the tensions and uniting factors? How are tensions addressed?			
How does the women's movement /peasant movement support or not the peasant women's movement's agenda on land rights? Are there differences/tensions between them?			
Which particular gains/outcomes have been made? How was it reached? What are the ongoing challenges?			
Who owns/access/controls the land? As women, what is their say in terms of farm production? Budget? Income?	Access/control of land as resources; voice in the household and community decision-making; changing division of labor in farm and non-farm production; changing division of labor in reproductive tasks; control of rewards in farm and non-farm work; control in household budget; freedom from violence <u>Process</u> Participation in organization; decision-making in the organization and/or community	Case studies: SAMFAI and KMPC leaders, members, non-members, barangay officials etc.; organizers or support groups; DAR officials—nationally and locally; DAR documents/reports	Individual interviews and FGD; document analysis; Other studies
What is the division of labor on the farm? In the house? In the community?			
Who has control/access to the household including income or budget?			
Does land rights/participation in land struggles free them from violence? To what extent? If not, why?			
In case of positive changes, what are the processes that led to this change? How?			
Why the continuing struggle? Why land occupation? How do they organize, build-up and employ this strategy?	Rightful resistance—land occupation	Case study: SAMFAI leaders, members, non-members, <i>barangay</i> officials etc.; organizers or support groups; DAR officials—nationally and locally	Individual interviews and FGD; documents and other studies
What are the strengths and weaknesses of the strategy? Are their specific changes in gender relations between men and women peasants utilizing this strategy? What are the factors that facilitate or not the changes?			
Who is participating or not participating? Why?			
Are there differences or tensions between and amongst men and women? Young and old? Leaders and members? Members and non-members?			
What is the current status of the case? What are the impediments?			
What are the ongoing challenges? How are they addressed?			
Are their distinct rights as peasant women recognized? If this is the case, is it individual or joint basis?	Rightful resistance—self-installation ('awarded' land)	Case study: KMPCI leaders, men leaders,	Individual interviews and FGD

Does the awarding of land give women and men equal positions in terms of decision-making in the household—in budgeting, income disbursement, reproductive tasks, productive tasks, etc.? If not, why?		women members, men members, and men and women non-members; local officials, DAR local and national officials	
Does land awarding give them equal opportunity to participate and in decision-making in the organization? And in the community? If not, why?			
Does the awarding of land give women, individually or collectively, the necessary leverage to live a life free from violence? In what sense?			
What are the ongoing challenges? How are they handled?	Ongoing challenges	Individual and groups i.e. KP/PKKK/Unorka etc.	Interviews and FGD
What are the limitations? The strengths?			

### 3.4 Introduction of the research cases and field entry

The selected agrarian cases (SAMFAI and KMPCI) highlight the impact of the overall land rights struggle on peasant women's land rights and empowerment, and on the achievement of gender justice. These organizations were purposively chosen from amongst all the member organizations belonging to Kababaihan Pilipinas (KP), a federation of peasant women's organizations that was federated through the PEACE Foundation's Gender Program, which I led for eight years. SAMFAI and KMPCI are also members of the Pambansang Ugnayan ng mga Nagsasariling Lokal na Organisasyon sa Kanayunan (UNORKA), a national movement of tenants and farmworkers that advance hundreds of landholdings under CARP in thirty provinces<sup>26</sup>. My positionality on this research, therefore, is both an insider and an outsider.

In preparation for the field entry, I coordinated with several leaders from the targeted cases I personally know. Initially, three case study options were identified: Masbate or Laguna in Luzon, Iloilo in Visayas and Davao in Mindanao. Davao was found to be unfeasible due to higher expenses, and Laguna was opted out due to the inability to contact the key informants. Hence, Iloilo and Masbate were selected as areas of study, with KMPCI and SAMFAI as cases. Due to the initial familiarity with the organizations based on previous overall engagement with them, access to the field was relatively easy. However, each case bore its own challenges and limitations, as discussed in detail below.

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<sup>26</sup> UNORKA was founded in 2001, although many of its members had already been struggling for land reform before this year (see for example, Franco and Abinales, 2007).

### 3.4.1 Entering SAMFAI area

Masbate was one of the sites of my previous study (see Bejeno 2010), on which this research is built. Prior to this study, with my previous work as Gender Officer of PEACE, at least two consultations with SAMFAI had been conducted. This provided a sense of familiarity with the setting, the leaders, and a segment of the community. It must be noted, though, that these previous visits were shorter due to security risks, which were still apparent when I conducted my study in 2013.

In general, the province is known for its high incidence of violence and killings. However, this alone does not render the case risky: the SAMFAI itself is subject to conflict and confrontation due to the ongoing land struggle. Past visits and (limited) knowledge of the area, however, did provide a basis that allowed me to stay in the field long enough to acquire the needed information for this study. However, extending my stay meant that several precautions had to be made, and that necessary security protocols needed to be strictly followed. It was firstly necessary to meet with the mayor of Masbate, who could provide contact with other agencies such as the police and health centre. Meeting with the mayor was not possible during that time, so it was the mayor's secretary and a development officer who assisted me, and to whom I explained my research aims.

To reach the community from the town's pier, I had to catch a ride on a single motorcycle for almost an hour. I could not help feeling nervous riding with a total stranger and passing the long and isolated roads (thankfully by this time most were already paved). I felt vulnerable as a woman, given the isolation of the place, the need to ride on a vehicle driven by a male driver, who was a stranger to me, and perhaps because of my awareness of many cases of violence against women and other cases of violence in the province. However, I arrived in the area safely. I also felt safe, as I placed my trust in the organization and leaders who provided me with protection before. Knowing from my past visits that the *barangay* is aware of the SAMFAI case and is partially supportive of them, also gave me confidence. However, my security could not be fully guaranteed, because of the constant harassment and violence against the farmers in the area by the *hacienda*.

I also felt nervous about the possibility of encountering the New People's Army—the armed groups of the Communist Party of the Philippines (CPP). I previously did not perceive them as a threat, but things had changed since the split within the CPP. The organizations and the political bloc I used to belong to become their 'enemies'. Since then, the communist guerrillas had become a threat to other leftist groups, especially to those who chose, after

the fall of the Marcos dictatorship, to engage with the government instead of instigating armed revolt against the government (see for example Franco and Borrás Jr 2007: 69-70). Thus, the feeling of threat was palpable, and I could not stay inside the area longer than three weeks. I relied on the protection of the organization, and I did not encounter the guerrillas.

### 3.4.2 Entering KMPCI area

The entry into the KMPCI area was a different story. It was my first time in the area. As in Masbate, I first visited the mayor, who granted me an audience. The mayor was sympathetic to my study, and he was aware and emphatic of the KMPCI's struggle. He shared how his office had helped the farmers to get their truckload of sugarcane out of the area. This visit helped me gain the mayor's moral support and allowed me to obtain necessary documents and access to other state agencies.

To reach the *barrio*, you must ride a motorcycle. Passengers must hold on tightly to the male driver or the other passenger as these motorcycles are very fast. Moreover, here, you can either hire the motorcycle by yourself and pay the full fare for four passengers or wait for another three passengers to ride with you and pay only for yourself. At first, I chose to ride with other passengers which in a way, gave me relative sense of security as I had the freedom to choose a possible companion. Fortunately, the other passenger that time was an old woman; however, this was not always the case. If a man arrived, you could not say no, as you would risk creating unnecessary bad impressions amongst locals. As a stranger, I had to therefore be very sensitive and cautious with my actions.

Furthermore, as advised by the leaders, if you want to enter the *hacienda*, you must be accompanied by a certain relative of a leader inside the *hacienda*. I stayed first in the house of one of the leaders who lives outside the *hacienda* and then I was fetched later to conduct the interviews with the leaders, members, and non-members of the group inside the *hacienda*. When I was about to enter the *hacienda*, the leaders advised me to pretend to be a relative of community members, so that the guard would not learn about my real objective in visiting the area. Fortunately, no confrontation with the guards took place. The *hacienda* was heavily guarded, and residents may enter and exit only between 08:00 and 20:00 every day. The curfew was instituted when the KMPCI group had self-installed in 2007 and were 'punished' by this curfew in addition to losing their jobs, being deprived of access to electricity, and facing threats of eviction and loss of life.

I was also advised to interview members and non-members of the KMPCI in the *barrio* when I was about to leave the *hacienda*, for my security. According to them the landowner was very angry and was even "hunting down" the



NGO organizers that helped them to get organized. I had to oblige. A day before I left the area, I went with them to the *barrio* -referring to a place where most of the *hacienda* workers live -, and I conducted interviews. I did not expect to encounter a relatively big community with its own schools and some 50 concrete houses close to one another. The inhabitants were all related in one way or another.

It was my first time to enter a sugarcane *hacienda*. Walking in the middle of it gave me chilling thoughts that one can be easily targeted and assaulted without the attack being noticed, even though I was with the two leaders. The sugarcane, during the time of fieldwork, was already taller than me. It was less than a month's time for harvest. Therefore, no workers were around, which also means that this was a period of *tag-gutom* (time of hunger), as there was no work available. After almost an hour, we reached a community where we could conduct interviews. Unfortunately, the previous leader of their group, who later sided with the landowner, was away and could therefore not be interviewed. However, I was able to interview some of the 'landowners loyal', who are also relatives of the KMPCI leaders that accompanied me.

I interviewed several inactive and active members. Before sunset we walked back to the house of the leader where I stayed. The next day, I left the *hacienda* and went back and stayed in the house of the other leader outside the *hacienda*. I had the opportunity to interview the other non-members outside the *barrio*. I had the chance to interview them while they were in school waiting for their children to finish their classes. I also interviewed others in the town.

### 3.5 Situated knowledge and reflexivity

The research process has allowed me to critically reflect on the varied realities of peasant women (and men). As someone who identifies with peasants' causes, but nonetheless a highly educated Filipina residing in the Netherlands, I offer a different positionality in this research. It is important to note, however, that the peasants' land struggles are not foreign to me. My personal background informed this study since I was involved with the peasant and women's movements for more than a decade and my parents were farmers themselves (although my parents had different contexts because they had their own piece of land and farming was not their main livelihood). This complex positionality has informed my motivations and values which in turn guided my research aims. This study's main motivation is to contribute to the realization of a vision of social transformation, to fulfil a commitment to respond to the plight of the peasants, and to raise awareness on the importance of connecting research and the empirical quest for justice.

While embarking in fieldwork activities and conducting the interviews and focus groups discussions, I found myself as both an ‘outsider/insider’ of the research. I identify with the peasant women in their land struggles, and personally know most of them and even assisted them in the formation of KP (and PKKK). However, I am also an outsider, since I am not directly involved in their land rights cases, which were handled by the community organizers who worked with them. This insider/outsider positionality, however, had given me a privileged access to these two selected cases studies and to various resources such as various participants - from peasant organizers, leaders and agencies involved- and written documents related to the cases and beyond. Some leaders and members of KP operating in other provinces were also a key source of information. Prior knowledge on these cases was also a selection criterion because of the direct contact with the leaders.

Throughout the research process, I critically reflected on my positionality and my insider/outsider position. This reflexivity informed my sensitivity to the topic and to how I interacted with the participants. Accordingly, the threat of endangering the peasants’ lives has been a central consideration and the reason why the participants were anonymized in this study. At the same time, constructing an informed analysis on the selected cases was considered an opportunity to eventually influence policy enforcement as this study could potentially address the plights of the peasants.

Sustaining a reflexive mind throughout the research process allowed me to understand the role that research can play in processes of change as it exposes, in this case the persistent gendered agrarian structures and peasants’ land struggles. Hence, the deliberate choice of this study and these two cases was partly a personal commitment to the quest for social justice, even when doing the fieldwork in these two areas implied personal risks.

Moreover, as McGovern (1997: 167) has pointed out, a reflexive researcher should treat research participants not only as source of data, but also as fellow human beings. Understanding peasant women’s (and men’s) daily lives and the gendered structure that shapes them develops an emphatic understanding and makes us recognize where we situate ourselves in existing hierarchies. Reflexivity develops empathy towards the plight of the peasants, thus strengthening a commitment to understanding their situation and intensifying the recognition of the connection between research and quests for social (gender) justice.

*What we choose to study and the choices we make concerning how to research what we choose to study already speak about what our commitments are: how much we want to engage with or maintain distance from the social reality that binds or divides us. (McGovern 1997: 167).*

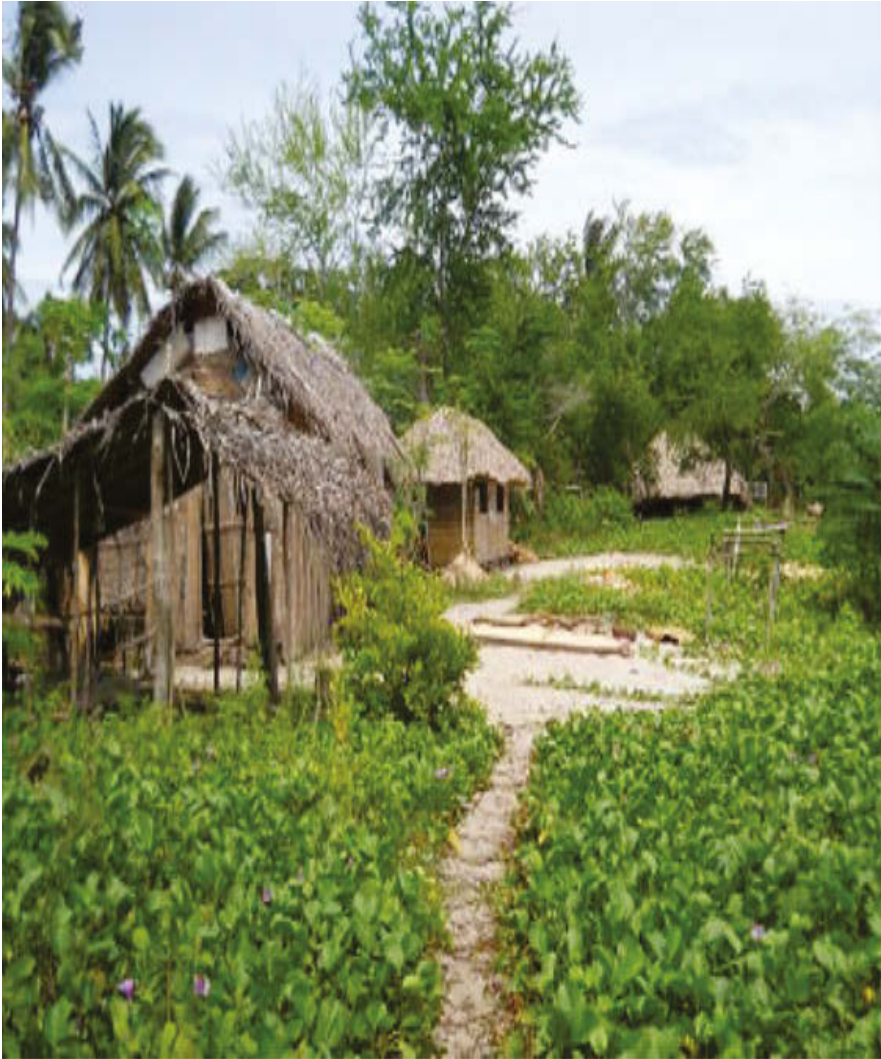
Being reflexive also requires understanding the complex and interlocking power structures that render peasant women and their families poor, repressed and exploited—and also understanding how these structures are visible or invisible in peasant women’s (and men’s) struggles that seek to challenge oppression. By examining peasant women’s resistance, this study also reveals women’s voices and agencies, articulating their visions of justice and strategies of empowerment. Women ultimately are not passive victims of oppression but rather active agents of their own liberation.

### **3.6 Concluding remarks**

Overall, the qualitative research approach helped this study to generate sufficient and rich data, which were categorized into common themes. I consequently highlighted similarities and differences across participants’ narratives and linked them to the theories and concepts utilized in this study. Furthermore, it is also worth noting that my positionality in this research informed and formed part of the framing of the research approach and methodology of this study.

Nonetheless, as much as I wanted to capture many different views and experiences of the peasant women’s and men’s struggles in pushing forward land reform implementation in the Philippines and the ways in which this could lead towards gender (in)justice, this study has its own limitation. As described above, given the volatile context creating apparent risks, community interviews and participant observations were limited to a period of three weeks inside each of the two communities/land cases. However, interviews were also conducted outside the communities and with various leaders from various groups during fieldwork in the Philippines from April to November 2013. Moreover, I still maintain contact with them at present.





Farmers dwellings on SAMFAI's occupied land. Taken during the fieldwork in 2013.



4

## Land Redistribution and Recognition of Women's Land Rights in the Philippines

### 4.1 Introduction

This chapter traces the evolution of land reform in the Philippines through an agrarian gendered justice framework (Figure 1) to understand and analyze the status of land redistribution and the recognition of women's land rights and entitlements in the country. The Philippine land reform can be traced back to the early 20th century's major redistributive coverage starting in the 70s through Presidential Decree 27 (that covers all rice and corn areas) and later through the Comprehensive Agrarian Reform Program (CARP) (that covers all private and public agricultural lands). The failure of post-independence land reform initiatives to dismantle the exploitative agrarian structure in the country inspired the peasant unrests (Putzel, 1992:372) and gave birth to these initiatives (PD 27 and CARP). However, after more than 30 years of CARP existence, land redistribution remains incomplete and highly contested. Furthermore, despite laws, policies, and initiatives that foster gender equality, women's land entitlement through land reform remains hugely low.

Meanwhile, despite the recognition of women's land rights as critical to gender equality (see for example, Agarwal 1994, Deere and Leon 2003, Menon et.al 2017), there is still a huge knowledge gap on gender and land rights (Doss et.al. 2014 and Hall et.al 2015). The gender-differentiated status of and full impact of land redistribution (or land grabbing) on peasant men and women is missing or narrowly discussed. Worse, rural poor men's and peasant women's experiences are often conflated, meaning the vital differences in their experiences are not addressed (see also Behrman et.al 2012:50).

In the Philippines, few studies have tackled women's exclusion from the land redistribution process (Leonard et.al, 2015, Alano, 2015, Borras 2007:262), and this served to exacerbate women's exclusion from agrarian land entitlement and other benefits. Little is known about the general status of women in the CARP land redistribution processes, and this is what the study aims to shed light on. Utilizing the DAR data of accomplishment, agrarian related studies and reports and interviews, this chapter asks, what is the

status of land redistribution in the country, and how are peasant women's land rights recognized? If not, why is this so?

The discussion is organized as follows: first, an overview of the development of the country's agrarian structure and the consequent institutionalization of land reform policies leading towards the contemporary agrarian reform program, now coined as CARPER<sup>27</sup>. This is to highlight the importance of and challenges in implementing agrarian reform in the Philippines brought about by the evolution of and existing agrarian structure in the country. The subsequent sections will briefly discuss the CARP processes and outcomes, the integration of gender dimensions and major shifts and challenges. The chapter ends with some conclusions from the discussions.

#### 4.1.1 Why agrarian reform?

In the Philippines, agrarian reform is a social justice measure that seeks to equitably distribute land ownership to landless farmers, farmworkers, and small landowner tillers in the countryside through land tenure improvement and integrated development services. The 1987 Philippine Constitution, Article XII, Section 4, provides the rights of the landless farmers and farmworkers,

*“the State shall, by law, undertake an agrarian reform program founded on the right of farmers and regular farmworkers, who are landless, to own directly or collectively the lands they till or, in the case of the farmworkers, to receive a just share of the fruits thereof.”*

Consequently, the Comprehensive Agrarian Reform Law (CARL) through Republic Act 6657 was enacted which institutionalized CARP in 1988.

Access to land is one of the key determinants of welfare in the Philippine rural areas (see for example, Quisumbing et.al, 2004 and Balisacan, 2007, see also Shelzig, 2005) and the limited access to productive assets and basic social services are often identified as key causes of poverty and inequality (Balisacan, 2007). The Department of Agrarian Reform (DAR) revealed that agrarian reform beneficiaries are in better condition compared to non-beneficiaries due to higher incomes, higher output values per hectare and higher valued household assets from the reform (Arlanza et.al, 2006: v). Former National Economic and Development Authority chief Dr. Cielito Habito pointed out the decrease of poverty among agrarian reform beneficiaries (ARBs) because of better income (P20,430 pesos or P97, 844 per year) which is twenty-three

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<sup>27</sup> CARPER or Comprehensive Agrarian Reform Program Extension Reform is the extension of CARP for the second time, by virtue of Republic Act 9700 signed in 7 August 2009 that extends the program for five more years until 2014.



percent higher than non-beneficiaries at P75,787 per year (Pales-Tupas, 2007:287). An Asian Development Bank report agreed on World Bank's (2000) claim on the significant impact of land reform on the improvement in beneficiaries' well-being (Shelzig, 2005:65).

The lack of, or limited access to land remains a key element of the agrarian structure in the country. Vast tracts of land remain concentrated in the hands of a few landed elites, hence, leading to a concentration of wealth and income. According to a 2012 CCCP-CBCP report, the top one percent families (185,000) in the country have an income equal to the income 5.5 million families (30%), a figure that remained the same post-martial law (2012:5 cited from National Statistics Office 2009). 80 percent of the national income goes to the 50 percent upper families while the lower half gets only 20 percent. There is "no visible middle class", the report further pointed out (Ibid).

The 2015 Philippine Statistics Authority's report has established poverty incidence at 26.3 percent or 26.48 million Filipinos out of 100.7 million estimated population in the same year. The report indicated that more than 12 percent, or roughly 12.18 million Filipinos, are in subsistence or extreme poverty, with an income that barely covers three meals a day. On average, a family of five needs at least PHP 9,140 (less than 200 euros) to meet both basic food and non-food needs, but poor families were short by 29 percent of the poverty threshold, with an average income of only PHP 2,649 (around 53 euros). The report also indicated that only 6.5 percent of poverty incidence occurs in the National Capital Region (NCR), which suggests that more than ninety percent of which is in the provincial areas.

Landlessness is a major factor in rural poverty. As the Focus on the Global South study shows, poverty is highest in the 15 provinces where backlogs for large land redistribution are concentrated and where the poorest families are located (Manahan, 2013:11). In 2008, the World Bank concluded that small-holder's farming is one of the pathways out of poverty (WB Development Report, 2008:92). Immediate land redistribution, therefore, is crucial to reduce inequality and poverty and to improve peoples' well-being. Yet, 'land reform in the Philippines remains an urgent, unfinished agenda' (Shelzig, 2005:65, see also Manahan, 2018) since it is entrenched in the historically unequal agrarian structure.

#### ***4.1.2 Historically institutionalized agrarian structure***

Landlordism in the Philippines was a legacy of Spanish colonialism and American occupation from the 16<sup>th</sup> century up to the early 20<sup>th</sup> century. The two colonial periods resulted in the privatization of land rights and ultimately land concentration with the elite few, on the one hand, and the dispossession

of the Filipino masses, on the other. This was established by land legalization and through declaration of land as 'crown's property' and the consequent *encomienda* system<sup>28</sup> (see for example, IBON 1988, Hayami et.al 1990, Putzel 1992, Lynch 1988). Lynch (1988) wrote that the Spanish colonial regime recognized two types of private property rights: the customary rights and those under the Crown, that is, '*terrenos realengos*' or the royal domain. "Customary rights were predicated on usage and possession. Crown lands comprised all areas not used or occupied by the natives." (1988: 83). However, in practice, customary land rights were far from respected (Ibid). The Datu and other leading local families or *caciques* were assigned to collect taxes, ensure compulsory labor services, and administer local justice. This established sharecropping arrangements between landlords and tenants or *kasamahan* (IBON, 1988:25, Putzel 1992, Lynch, 1988:99-101). The country's introduction to world trade at the end of the 18<sup>th</sup> century shifted food production for consumption to cash crop production for export that further expanded the interests of friars (the Catholic church became a substantial landowner under the Spanish rule), Spanish officials, and Chinese traders in accumulating vast tracts of land. The *hacienda* system<sup>29</sup> replaced the *encomienda* system and institutionalized the sharecropping system<sup>30</sup> (Ibid:25-27, see also Lynch, 1988:102).

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<sup>28</sup> *Encomienda* was a vast tract of landholding for self-reliant food-producing community assigned to *encomenderos* or caretaker and used as a means to collect taxes from the tillers and surrender part of their produce to the *encomendero* in the form of agricultural crops, poultry and products like woven mats, cotton yarn etc. (IBON 1988).

<sup>29</sup> *Hacienda* was a vast tract of lands mostly owned by friars planted with cash crops such as tobacco, sugarcane, coffee, copra, and abaca meant for export to other countries. This term is still used for large private landholdings planted to cash crops.

<sup>30</sup> Sharecropping system or *kasamahan* system was a system where output and production costs were shared equally by landlord and tenant or *kasama*. The *kasama* gives fixed rent to the absentee landlord and their relationship was maintained through the paternalistic landlord-tenant relationship: the landlords' extension of credit, connections and social influence and in return the *kasamas*' loyalty (Ibid).

The Philippine revolution of 1896 and the American take-over (1898 to 1946) ended the Spanish colonization and established and expanded accumulation of vast tracts of land through various land policies<sup>31</sup>. The Torrens system intensified private land ownership and invalidated the indigenous communal land tenure systems. Through settlement initiatives such as the Public Land Act of 1903, the homestead program was established that allowed Filipinos to own up to 16 hectares of uncultivated public lands (Ibid: 28-29). This was implemented mainly to mitigate agrarian unrest and gradually transform the land structure established by the Spanish colonial regime (Hayami et.al, 1990: 42). President Manuel L. Quezon (1936-1942) brought in tenancy legislation and institutionalized settlements by providing land for landless farmers mostly from the Visayas and Central Luzon to the South Philippines or Mindanao (Putzel 1992:2). This region, although mostly not colonized by the Spanish, did not evade the American land use policy, which subsequently led to the creation of large plantations in the region (Ibid). The Christian settlements into the Muslim areas ignited conflict and gave birth to the current separatist movement in Mindanao (Hayami et.al, 1990: 42-44). The “colonial rule promoted the interests of elite families, or political clans, and domestic and foreign corporations against those of the rural majority.” (Putzel, 1992:61).

Following the independence in 1946, Pres. Ramon Magsaysay (1954-1957) and Diosdado Macapagal (1962-1965) produced major agrarian legislations (Ibid:2). The land redistribution efforts grew stronger especially during the Hukbalahap<sup>32</sup> (also known as the Huks) revolt and the martial rule regime in

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<sup>31</sup> The Land Registration Act of 1902 imposed the Torrens system of land registration, which resulted to rampant land grabbing (Ibid). This Act enabled individuals to acquire 16 hectares (later amended to 100 hectares) and corporations to 1,024 hectares (Putzel, 1992:52). This enabled US authorities and corporation to control huge tracts of lands for large-scale farming, and mining activities, backed up by the provision that “all valuable mineral deposits in public lands..., are hereby declared to be free and open to exploration, occupation, and purchase, and the land in which they are found to occupation and purchase, by citizens of the United States, or of said Islands.” (Philippine Bill 1902, Section 21). Meanwhile the Friar Lands Act 1903 instituted the transfer of friar lands to the tenants and allowed the foreign nationals that enabled the US authorities to purchase twenty-three large friar estates covering 165,000 hectares for 7million dollars, which was later sold to the landed oligarchs and to a US sugar corporation (Ibid, and Putzel, 1992:53).

<sup>32</sup> HUKBALAHAP is short for Hukbo ng Bayan Laban sa Hapon or People's Army Against the Japanese, the guerrilla group that was originally formed against the cruel

the early 70s. However, while the Philippine land reform laws outweighed most land reform laws in South and Southeast Asia in terms of scope and coverage, actual land redistribution was scarce, which intensified the insurgency (Hayami et.al, 1990: 45).

Shortly after Marcos' martial law declaration in 1972 and the abolition of the Congress, presidential decrees were issued including on land reform through PD 27. Rice and corn tenants were regarded as owners of the land to a maximum of three-hectare irrigated lands and five-hectare unirrigated land to be amortized for 20 years, with share tenancy shifted to fixed rent leasehold tenancy. The landlords were entitled to 10 percent payment in cash and 90 percent in land bank bonds and entitled to seven hectares retention (Ibid:57-58, see also Putzel, 1992:113-156). The focus on rice and corn areas excluded the large estates planted with coconut, abaca, sugar, tobacco, banana, pineapple, and other cash crops and primarily, focused in Luzon. Consequently, through agro-based 'national development', the multinational and domestic agribusiness corporations were granted incentives and priorities that gave them the leverage to counter land redistribution and to reclassify and convert land use. These corporations controlled vast tracts of land devoted to export crops, as seen primarily in Mindanao such as the Dole Corporation with 50,000 hectares of prime agricultural lands in South Cotabato; Del Monte with 20,000 hectares in Bukidnon; and Guthrie Palm Oil Plantation's 8,000 hectares in Agusan del Sur (Hayami et.al, 1990: 4-5). The regime's failure to fully implement the agrarian reform, together with two decades of malpractice, led to a broader popular movement and the breakdown of the elite support that culminated in Marcos' defeat (Putzel, 1992:156).

In sum, the Spanish and American colonial legacies led to the creation of a land structure of dispossessed Filipino masses, on one hand, and the proliferation of landlordism by the few elite families and foreign corporations, on the other. The post-independence initiatives to redistribute land and to correct this legacy of injustice were minimal and mainly aimed at mitigating peasant unrests. In most cases, the landlords' interests were protected through exclusion, such as through PD 27 which focused only on rice and corn lands, or through leverage given to counter land redistribution such as through reclassification or conversion of land use. Hence, the continuation of feudal relations, landlordism, shared tenancy and a social structure of domination and dependence inspired the people's movements and clamour for social justice, call for land expropriation and redistribution, and recognition

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Japanese invasion of the country in the mid-'40s and later developed into a peasant revolutionary group, mainly in Luzon, to advance land reform (more discussion on this in Chapter 5).

of peasants' rights. The fall of Marcos' dictatorial regime led to the institutionalization of CARP, which is more comprehensive in terms of coverage and which is an explicit social justice measure in the Constitution that also recognizes women's land rights. The next section, therefore, discusses the status of CARP and how gender was integrated in this program.

## **4.2 The Comprehensive Agrarian Reform Program (CARP) and gender integration**

The CARP, by virtue of Republic Act 6657 or Comprehensive Agrarian Reform Law promulgated through Executive Order No. 229, was instituted after the fall of Marcos dictatorship through the EDSA revolution<sup>33</sup> in June 1988. For more than 30 years now under six administrations, land redistribution remains significantly incomplete and highly contested, and the recognition of women and the number of women beneficiaries remain low. This section therefore aims to identify and analyse the important shifts and continuities in gendered land reform through CARP coverage, status, the institutionalization of state-society engagement and the integration of gender concerns in land redistribution.

### **4.2.1 The CARP coverage and state-society engagement**

CARP generally covers all private and public agricultural lands for redistribution, including commercial farms and sugar, coconut, and fruit trees areas. This coverage is an unprecedented shift to land reform policy in the country, in contrast to the previous PD 27's restriction to rice and corn areas. However, this coverage is watered down by later exemptions and non-redistributive schemes such as the stock distribution option (SDO), voluntary offer to sell<sup>34</sup> and the voluntary land transfer (VOS/VLT) which enabled several landowners and multinational agribusiness firms to evade land redistribution (see for example, Putzel 1992 and Borras 2007). For example, by registering at the Social Exchange Commission from 1988-1990, corporations applied for

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<sup>33</sup> The EDSA revolution, also known as February revolution or Peoples' Power toppled the Marcos' authoritarian regime in February 1986. EDSA stands for Epifanio Delos Santos Avenue, the main road where the people gathered during the four-day (February 20-24) revolution that finally overthrew the Marcos dictatorship. For details, see for example Abinales, 1996.

<sup>34</sup> The VOS scheme is also used and considered as least problematic scheme to redistribute land in Negros Occidental, which is opted to by many landowners who accumulated debts, thus threatened by bank foreclosures, and who experienced violent attacks from the underground Communist Party of the Philippines-New People's Army (Rutten, 2018).

SDO scheme and recorded a phenomenal 242 agricultural firms registered within the first 20 days of CARP (IBON, 1988:63-75). Through SDO, Class B shares of stocks instead of land will be obtained by beneficiaries, with 'guaranteed' work and individual 'dividends' from the corporations' profit from farming. However, in many instances, these guarantees, and conditions were not followed and provided, for example, as experienced by many in the province of Negros Occidental (see Palses-Tupas, 2007: 161-171). The most controversial of this scheme is the Hacienda Luisita<sup>35</sup>, which had an adverse effect towards President Cory Aquino's sincerity to implement CARP. She is one of the estate's heirs who opted for SDO instead of compulsory acquisition, and this was deemed her way of evading land reform, which she herself instituted during her administration. This act is deemed a precedent to succeeding land reform evasions. The early years of CARP hardly covered privately owned lands and did not alter 'the basic structures of property relations and agricultural production' (Putzel, 1992:362).

Apart from the above loopholes, further amendments to land reform diluted the program during the Ramos administration (1992-1998). For example, the passage of Republic Act 7881<sup>36</sup> exempted the coverage of fishponds and prawn farms and deferred the commercial farms.

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<sup>35</sup> Hacienda Luisita, located in the province of Tarlac, was acquired by Cory Aquino's father, Jose Cojuangco Sr., through government loans in 1958, with a condition for redistribution to the farmers. It comprises 6,000 hectares, mostly planted with sugarcane, and with 20,000 population (3,500 of them are hacienda workers). In March 1987, the President stated, "whatever laws or rules will be enacted, I say nobody is above the law, and that includes me." Four months later, the President signed EO 229, allowing (Section 10) corporate landowners to transfer shares of stock to the workers rather than land. In 1989, a total of 5,117 out of 5,315 farmworker-beneficiaries opted to receive shares (Palses-Tupas, 2007:176). On November 16, 2004, seven of the protesters were killed in front of the gate of the hacienda, also known as 'Hacienda Luisita massacre', followed by a number of more killings in the following years (for a comprehensive account see <http://www.gmanews.tv/story/183662/after-luisita-massacre-more-killings-linked-to-protest>). Finally, in 2011-2012, the hacienda was redistributed to the farm-workers. However, it is found recently that majority of the beneficiaries have already entered the *arriendo* system due to a lack of capital and steady household income (Reyes, 2018).

<sup>36</sup> Republic Act 7881 or "An Act Amending Certain provisions of RA 6657 entitled An Act Instituting a CARP to Promote Social Justice and Industrialization, Providing Mechanisms for its Implementation and for other Purposes."



Republic Act 7909 slashed the 60% share of agrarian reform funds from the sale of government assets and Marcos ill-gotten wealth (Palses-Tupas, 2007:162). It was also during this period that land reform scope was reduced from an original 10.1-million-hectare coverage to 8.1 million hectares (see Borras 2007) which remains a puzzle that has not been explained or justified so far.

Nonetheless, the institutionalization of CARP has remarkably redistributed lands way more than the previous land reform initiatives. The appointment of pro-reform Secretary Ernesto Garilao, a former NGO director, during the Ramos administration led to the highest number of land redistribution with lands awarded close to 40% of total agrarian beneficiaries (see Table 5). It was in this period that the mechanisms such as “tripartism”, “task forces” and “procarrrds”<sup>37</sup> were institutionalized, thus leading to regular consultations and dialogues with the farmers’ groups and non-governmental organizations to “fast-track” land redistribution. These mechanisms ‘neutralized the disenchantment of the stakeholders’ and popularized the ‘bibingka strategy’ – the mass pressure from below and critical engagement from above (see Borras 2004, 1999). The strategy remarkably redistributed thousands of hectares of land to thousands of peasants especially between 1992-1998 (Franco and Caranza, 2014:39-43, see also Borras 1999, 2007).

**Table 5:** Distribution of EP/CLOA<sup>38</sup> by percentage per administration

<i>Administration</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>	<i>Percentage</i>
Marcos (1972- Dec 1986)	1,291	14,584	15,875	.69%
Cory Aquino (Jan 1987-Jun1992)	68,354	340,385	408,739	17.74%
Ramos (Jul 1992-Jun 1998)	264,774	633,351	898,125	38.99%
Estrada (Jul 1998-Dec 2000)	70,465	163,329	233,794	10.14%
GMA (Jan 2001-Jun 2010)	230,971	418,005	648,976	28.17%
Noynoy Aquino (July 2010-Dec 2012)	38,631	59,334	97,965	4.25%
<b>Philippines</b>	<b>674,486</b>	<b>1,628,988</b>	<b>2,303,474</b>	<b>100%</b>

Source: DAR Management Information System Services (MISS) data 2012

<sup>37</sup> Provincial consultations on agrarian reform and rural development services or ‘procarrrds’ was instituted in many agrarian provinces since Secretary Garilao’s DAR administration to allow dialogues between local and national DAR and PO’s/NGO’s regarding specific agrarian cases and concerns.

<sup>38</sup> Emancipation Patent (EP) is the title given to the beneficiaries of lands redistributed under PD 27 and the Certificate of Land Ownership Award (CLOA) is the title under CARP.

The bibingka strategy continued during the late Secretary Horacio Morales<sup>39</sup> term under President Joseph Estrada's administration (1998-2001). Various provincial consultations on agrarian reform and rural development services or *procarrrds* and his open-door policy and regular consultations further institutionalized the state and peoples' organizations' engagement for the resolution of specific land cases at the municipal, provincial, regional and national levels (Borras 2007: 215-280). During this period, however, the focus and the main balance for land redistribution was mainly private agricultural lands, which faced high resistance from the landlords. For the peasant groups, it was a push and pull engagement. One example, which I personally recall, was when the furious UNORKA and Kababaihan Pilipinas members, being so eager to resolve a number of their land cases, locked the Secretary in his office, claiming that the on-going dialogue was just another empty promise, with no concrete and favourable decisions for the farmers.

Nonetheless, while the landlords' resistance was manifested in different schemes, the administration also made breakthroughs in the land redistribution of haciendas. One example was the case of hacienda Reyes, the largest landlord in Bondoc Peninsula. Due to potential violence, Morales collaborated with the Armed Forces of the Philippines, Philippine National Police and NGOs, peasants' organizations and the media, forming part of an inter-agency team to install the farmers in the awarded 174 hectares-land (Borras, 2007:272). Since then, the men and women farmers have established access and control over the awarded land. While the province remains a bastion of landlordism today, this case demonstrated a breakthrough for more land redistribution cases in the province (see Franco and Carranza 2014) and beyond.

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<sup>39</sup> The late Horacio "Boy" Morales Jr. was appointed DAR Secretary from 1998 until 2001 when Pres. Estrada was thrown from the post. From 1975, he joined the National Democratic Front (NDF), the resistance movement against the Marcos dictatorship, became involved in government reorganization and peace process and heads the Philippine Rural Reconstruction Movement and Cooperative Foundation of the Philippines and various national and international movements post-Marcos era. All these engagements explain his commitment to redistributive land reform. Before this, he founded the Development Academy of the Philippines and became one of the Ten Outstanding Young Men (TOYM) awardees for public administration. For more details, see [www.bantayog.com](http://www.bantayog.com)



On the contrary, the administration of Hernani Braganza (2001- 2003) and Roberto Pagdanganan (2003-2004) under President Gloria Macapagal Arroyo (2000-2009) halted the state-society engagement and therefore encountered peasant resistance (Borras, 2007:261). Both were ousted by the strong campaign against their 'non-performance and various controversies. For example, under Pagdanganan, 89 % of land cases were subjected under VOS<sup>40</sup> in the province of Negros alone. His linkages with several reversals and land use conversions heightened the ouster campaign against him which eventually forced him to resign (Palses-Tupas, 2007:40). UNORKA, for example, organized office occupations at the national DAR office and local offices to force the secretaries to resign (see also, Borras 2007).

When Secretary Nasser Pangandaman assumed office, CARP advocates actively engaged for the resolution of specific land cases. However, access to the building became restricted especially to the group who critically engaged the administration. For example, UNORKA became infamous to the agency as they became known for "ousting" DAR secretaries and "occupying" the DAR offices. The leaders of UNORKA further claim that it had the greatest number of specific land cases lodged with the department until its division in 2009 (interview with Ka Iking, Ka Evy and Kap, 2013).

The DAR head is co-terminus with the country's elected President, but this does not necessarily include the agencies' second line officers (for example, the regional, provincial, and municipal heads). In many instances, these officers are re-assigned by the new administration. The department's national key officials – operation, finance, legal, and administration – may not change with the new administration. This gives the POs and NGOs familiarity, with whom and how to engage the agency, resulting in regular engagement with the DAR officials both at the local and national level. For example, Ka Evy<sup>41</sup> elaborates,

*We knew who among the DAR officers are working in favour of the farmers' interests or those just 'sitting' on the cases or 'collaborating' with the*

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<sup>40</sup> Under this scheme, as Palses-Tupas (2006: 40-41) observed, the lands were not voluntarily offered by the landowners but used to avoid the compulsory acquisition to get maximum compensation. Under this VOS scheme, the landowner gets paid from the LBP of 30% cash and 70% in agrarian reform bonds for 10 years. In many cases, the landowner chooses the 'beneficiaries' and excludes those who are critical or pushing for land reform (Ibid).

<sup>41</sup> Evilio Jalos or Ka Evy is a veteran male peasant leader and organizer. As of the interview, he is the Chairperson of KaisaMo, a Mindoro-based peasant's organization that was formerly one of UNORKA members.

*landowners, especially at the local level. In several cases, we demand for the officers' resignation or re-assignment.*

The participants also pointed out that in many dialogues and actions, the groups' intention were to resolve the land cases and to advance the recognition of their rights, but both parties often end up disagreeing and becoming emotional, which in effect created a 'sour' relationship between PO's/NGO's and DAR or between groups and or individuals. One of the reasons behind the UNORKA split was the difference between leaders' position on how to deal with the DAR during that period (Interview with Ka Iking, Ka Evy, and Kap, 2013). Ka Iking<sup>42</sup> for example, recalled,

*We want a resolution of our cases, for example in Negros Occidental. We will not get positive cases resolution if in the dialogues we will always walk-out.*

The participants further pointed out that the DAR also became familiar with the different groups engaging the department and the tensions between and among them. In many instances, the agency's relationship towards certain POs and NGOs, and vice versa, became a determinant of which groups are prioritized or paid more attention to, or even which groups can have access to the agency's resources. The agrarian agency also uses its knowledge of the tensions amongst the POs and NGOs to create even more tensions amongst the competing groups and to polarize positioning on crucial matters. For instance, in 2008, I personally witnessed how this led to the call for the resignation of the "non-performing" Secretary Pangandaman. Overall, the engagement could build up competition and tensions among and between the NGOs and POs actively engaging the DAR.

In sum, the critical and very active 'case per case' engagement by the peasant men and women movement in the process became an everyday engagement with the state particularly with the DAR since CARP institutionalization. They took advantage of the democratic space and the political opportunity specifically provided by CARP. In the process of engagement, the dynamics between the DAR and the peasant movement developed towards the advancement of land redistribution. For the peasant organizations and advocates, the goal is effective land redistribution - the actual access to and control over the redistributed land and the resolution of pending land reform cases. However, despite the national mandate, the DAR may not necessarily deliver and enforce the program.

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<sup>42</sup> Enrique Tayo or Ka Iking was the Secretary-General of UNORKA during the interview in 2013. He chairs and represents his organization, the Negros Occidental Farmers Federation Organization (NOFFA), based in Negros Occidental.

As a result, in many instances, the state-society engagement resulted in tensions between DAR and the advocates – POs, NGOs and other groups and individuals; within the DAR or amongst government agencies; or even amongst and within the POs and NGOs.

Nonetheless, both DAR officials and employees and the pro-CARP POs and NGOs, together with the broader social movement, also united for broader campaign - for example, the campaign for CARP extension in 2007-2008 that included the demand for explicit recognition of women's land rights. The call for land reform extension was imperative for both sides, given strong opposition from landlords and landlord-supportive Congress and the extreme left's call for the termination of CARP. For the DAR officers and employees, the extension also meant their job tenure.

#### **4.2.2 CARP extension beyond 2008, the CARPER**

Ten years after the first CARP extension, the land redistribution was still far from over; hence, the re-extension was imperative for the second time. The call for re-extension was not easy given the landowners' strong opposition and because of the different positions within the agrarian movement. For instance, the extreme left, BAYAN-KMP, demanded CARP termination due to its 'ingenuity'. Meanwhile the pro-CARP, among them the coalition called Sulong-CARPER<sup>43</sup>, demanded its extension with reforms. There are also other groups, such as Alab-Katipunan, which called for review and assessment of CARP's impact prior to extension (see Pales-Tupas, 2007:295). These various positions further challenged the pro-CARP extension as they needed to contend with the landowners' strong opposition and at the same time with other civil society groups who corroborated with the landowners' call for the termination of land reform.

Nonetheless, the pro-CARP extension movement closely engaged the government through its active mobilizations and various actions. Ka Celia<sup>44</sup> recalled the experience of UNORKA and Kababaihan-Pilipinas,

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<sup>43</sup> Sulong CARPER is a multi-sectoral alliance led by agrarian advocates, peasants, and religious groups that was formed to campaign for the extension of land reform in 2008. The group again recently campaigned for another extension of the land reform program, to cover the remaining land for redistribution.

<sup>44</sup> Interview with Arceli Eugenio or Ka Celia (2013), the President of Kababaihan Pilipinas. She is also the President of her organization in Moncada, Tarlac and was one of the leader-organizers of ACCORD, a Central Luzon-based NGO that was one of the members of PEACE Network.

*Every time there were hearings on CARP, both in the Lower House and the Senate, we were there. We lobbied to individual senators and representatives to get their vote for the CARP extension.*

Together with other members of Sulong CARPER, like Task Force Mapalad (TFM), the groups also held marches from different provinces (from Luzon, Visayas, and Mindanao to Manila), to increase public awareness on and public support for the cause. SAMFAI President<sup>45</sup> recalled,

*We marched from Masbate to Manila together with our colleagues from Albay. We walked in the morning and in the evening, along the way we stayed at the churches that supported us. It took us many days to arrive in Manila. All of us got swollen and wounded feet but it was the sacrifice. We need to sacrifice to get the land.*

A section of the Catholic church led by Bishop Broderick Pabillo<sup>46</sup> fully supported and joined almost all the actions including the camp-out outside the DAR and the Congress, the marches to Malacanang, and the Congress' lobbies. The church also provided financial support and human resources. Bishop Pabillo also lobbied bishops, cardinals and within the church community, congregations and other sectors like urban poor and labour. The strong lobby from the bishops and church members, civil society groups, schools, political blocs, and the DAR made the campaign stronger through various local and national pressure mobilizations and actions. The pressure became stronger through the support of allies inside the Congress such as the then Akbayan Representative (now Senator) Risa Hontiveros and Alliance for Rural Concern Representative, the late Oscar Francisco. In the end, the efforts were successful and finally, in August 2009, the CARPER was enacted. For CARPER's main features see Box 1.

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<sup>45</sup> Interview with Eva Almonicar or Ka Eva (2013), the Secretary General of Kababaihan-Pilipinas and the President of SAMFAI, a peasant men and women organization in the province of Masbate.

<sup>46</sup> The bishop was the head of the NASSA/Caritas Philippines by then. NASSA is 'the humanitarian, development and advocacy arm of the Catholic Bishops' Conference of the Philippines (CBCP)'. To follow, visit [www.nassa.org.ph](http://www.nassa.org.ph)

### Box 1: CARPER main features

#### **CARPER Main Features**

The CARPER provides additional P150 billion funding over the year of its extension (2009-14) to acquire 1 million or so of agricultural lands to be distributed to around 600,000 farmers.

The new law incorporates Compulsory Acquisition (CA) of private agricultural lands which is central to the CARP.

It also provides joint Congressional Oversight Committee on Agrarian Reform or COCAR to closely monitor and assess program implementation.

It terminates the Voluntary Land Transfer (VLT) as a mode of land redistribution to eliminate prejudice against legitimate farmers. It also provides the inclusion of actual possession of awarded lands to ensure prompt installation and beneficiaries and the revision of computation of land values.

Explicitly the new law provides the equal entitlement of peasant women.

Source: DAR Accomplishment Report (2009)

The land redistribution was given five years for completion with provisions on important reforms such as the focus on compulsory acquisition (CA) and termination of voluntary land transfer (VLT) as a mode of acquisition. The provision of land rights for women was also explicitly indicated. PKKK pointed out,

*It was not until 2009, with the enactment of CARP Extension with Reforms..., that several rural women's groups and advocates, such as PKKK, took advantage of the legislation to assert their rights and interests.*<sup>47</sup>

The next section discusses the extent to which women's land rights and entitlements have been recognized, to provide a glimpse of how gender concerns have been integrated in land reform.

#### **4.2.3 CARP and women's land rights**

To ensure gender equality on land reform and women's land rights and entitlement, Republic Act 6657 or Comprehensive Agrarian Reform Law, Chapter X, Section 5, mandated that all qualified women members of the agricultural labor force are guaranteed of equal rights and ownership of land, shares of farm produce and, representation in advisory decision-making bodies. On its extension through Republic Act 9700 in 2008, otherwise known as

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<sup>47</sup> PKKK Proposals to the general recommendation on rural women and the protection of their rights, see <https://www.ohchr.org/Documents/HRBodies/CEDAW/RuralWomen/PKKK.pdf>. Accessed 20 March 2019.

CARPER, women's equal land entitlement was explicitly provided<sup>48</sup>. Section 1 declares that,

*The State shall recognize and enforce, consistent with existing laws, the rights of rural women to own land and control land, taking into consideration the substantive equality between men and women as qualified beneficiaries, to receive a just share of the fruits thereof, and to be represented in an advisory or appropriate decision-making bodies. These rights shall be independent of their male relatives and of their civil status”.*

Furthermore, RA9700 Section 13 provides that,

*Agricultural lessees and tenants, regular farmworkers and other qualified beneficiaries such as seasonal farmworkers, other farmworkers, actual tillers/occupants of public lands, members of collectives or cooperatives of the above beneficiaries, and others directly working on the land who are husband and wife may be entitled to three hectares each provided that they qualify as ARBs in their own individual rights and that their respective vested rights to the land have been duly established. A separate CLOA shall be issued to each spouse in such cases.”*

This development is considered a double gain for peasant women: having the CARP extended with the reformed provisions and the more explicit recognition of peasant women's equal land entitlement, provided qualification.<sup>49</sup> The provision suggests that couples may own up to six hectares provided they qualify.

In connection to this, the DAR issued Administrative Order (AO) No. 1 series 2011, specifically to “ensure that women and men have equal access to the benefits of the CARP and other agrarian laws, and with the end view of providing the general direction and strategic thrusts on GAD in the Department as it is a cross-cutting concern in the implementation of CARP and other agrarian laws.”

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<sup>48</sup> Section 15 of R.A No. 9700 also states that “The State shall be incorporated after 37 of Republic Act No. 6657, as amended, a new section to read as follows: “Sec. 37-A. Equal Support Services for Rural Women. Support services shall be extended equally to women and men agrarian reform beneficiaries...also, ensure that rural women will be able to participate in all community activities...The DAR shall establish and maintain women's desk...to the protection of women's rights...”

<sup>49</sup> RA 6657, Chapter VII, Section 22, Qualified Beneficiaries –“The lands covered by the CARP shall be distributed as much as possible to landless residents of the same barangay, or in the absence thereof, landless residents of the same municipality in the following order of priority: (a) agricultural lessees and share tenants; (b) regular farmworkers; (c) seasonal farmworkers; (d) other farmworkers; (e) actual tillers or occupants of public lands; (f) collectives or cooperatives of the above beneficiaries; and (g) others directly working on the land.



The AO specifies that for the qualifications, Section 5, A1 (1), provides that,

*Both spouses or common-law partners in a relationships who each possess the qualifications to be ARBs pursuant to Section 22 of R.A 6657, as amended, shall have equal right in the process of identification, screening, and selection of agrarian reform beneficiaries to be undertaken by the DAR under A.O No. 7, Series of 2003 and A.O. No. 02, Series 2009. The individual consideration of each spouse /party is for purposes of according them whatever vested rights they may have acquired over the subject land. In no cases, exclusion and subordination be made in the screening and selection of ARBs on account of gender or relationship status.”*

Furthermore, Section 5, AO1(3) instructs how to recognize the rights of spouses or partner beneficiaries,

*In order to recognize the rights of the farmer spouse, the names of both shall appear in the Emancipation Patent/Certificate of Land Ownership Award (EP/CLOA) and shall be preceded by the word “spouses”. In the cases of a common-law relationship, the names of both parties shall likewise appear in EP/CLOA with the conjunctive word “and” between their names, conformably with Article 147 of the Family Code. The same rules shall apply in cases of married ARBs or ARBs in common law relationship who are covered by a collective / co-ownership EP/CLOA and their names shall be annotated at the back of the said EP/CLOA.”*

The AO also clarifies the limits on the award. Section 5, AO1(10) provides that,

*The award limit for legally married spouses and for common-law partners is three (3) hectares. In cases both spouses are individually qualified to be agrarian reform beneficiaries, each shall accordingly be entitled to a separate award which in no case shall exceed a maximum of three (3) hectares.*

These provisions both in land reform law and policy, therefore, clearly provide peasant women with equal land entitlement, either independently or as co-owner as a spouse or common-law partner. They are entitled to a maximum of three hectares provided they meet the qualification as quoted above.

Moreover, the DAR administrative order also includes “Annex A: Gender mainstreaming framework” that illustrates the agency’s ‘full circle’ of integration or gender mainstreaming in land reform implementation. The framework includes gender awareness building and advocacy, policy review and program enhancement, fund allocation and logistical support, linkage and networking, gender responsive planning and monitoring and evaluation and gender responsive capability and capacity development (see Appendix 4).

In sum, women's land rights and entitlement in land reform are guaranteed legally and theoretically. However, how they are guaranteed in practice and to what extent gender equality in land redistribution process is enforced are different matters altogether. The following section tackles these issues and discusses how gender equality is implemented in land reform, along with limitations and challenges in implementation.

#### ***4.2.4 The DAR promotion of gender equality: processes and limitations***

This section will tackle the promotion of gender equality in land reform implementation, by focusing on gender advocacy and gender awareness building within the land reform agency and agrarian communities; its allocation and utilization of gender budget; and ultimately the number of women agrarian beneficiaries, as indicated in DAR reports and plans, and as reported by key informants of this study.

##### ***Gender equality advocacy and gender awareness***

As reflected in the agrarian agency's gender-mainstreaming framework, gender equality advocacy and gender consciousness and awareness-building are foundations for gender integration within the agrarian agency and agrarian communities. This has been also reflected by the gender committees and key persons at the national, regional, provincial, and municipal levels including the gender budget allocation for related activities. It is found however, that the agency's initiatives remain limited. Specifically, they have only minimal impact especially on peasant women's land rights knowledge and entitlement.

The study found that gender awareness among local DAR officers and employees, especially at the municipal and community level, is still very low, even though several heads and key officers from national, regional, provincial and the Banate MARO are knowledgeable on particular gender issues and even served as advocates and/or leaders in the gender mainstreaming effort within the department. Interviews for this research in 2013 in Masbate and Iloilo also reveal that most staff at the municipal level lack of awareness on existence of AO 1 series 2011 or the policy of the agency that clarifies women's land entitlements. Some of them have never even attended a gender sensitivity training. At best, they are aware that they must include in their reports the number of women that participated in activities facilitated by their offices, and the number of agrarian beneficiaries in case of land redistribution.

Since most of the participants of this research are either the members of the GAD committee or the gender point person in their jurisdiction or have linkages with gender mainstreaming in the department, it can be assumed that gender awareness among other members/personnel of the agency is generally absent. Quantitatively, this is difficult to gauge since the department lacks



pertinent figures, such as the number of trainees that have undergone gender awareness training or activities at the national down to the municipal level. Nor did 2012 gender and development nationwide annual accomplishment report reflect all the areas and activities. For example, the report does not indicate gender awareness activities in region 5 and region 6 (where Masbate and Iloilo, the provinces of the two cases of this research, are located) (see DAR GAD report 2012<sup>50</sup>).

Furthermore, at the national level, the department secretaries (being co-terminus with the president) and most of the key heads of the department, the management level and regional directors and provincial officers, are “not interested” and have not undergone gender sensitization activities. A respondent claimed that while calls for gender sensitivity training or GAD orientation sessions were and are still being conducted, “the top-level officials may not even attend to this” (Interview, DAR national and regional<sup>51</sup>, 2013). Recently, it was noted that the top management remain uninterested and absent in gender orientations and trainings (DAR, 2019). It is also found that generally, interest in gender activities and concerns is still limited to specific groups, especially the GAD committees and gender key point persons or gender advocates within the department. Most of the staff have not undergone gender sensitivity training except for the staff of the agency’s Planning Division, Bureau of Agrarian Reform Beneficiaries Development and Bureau of Agrarian Reform Program. The GAD plan is confined to the focal point persons. Moreover, it was also pointed out that the officers who have been appointed or have committed themselves to gender mainstreaming could only execute their roles on top of their regular tasks. There is no full-time officer for gender mainstreaming, which limits and restricts efforts and progress.

The participants also raised that the GAD steering committee is no longer active as it was under Director Nicholas’ leadership in 1988-2005. For example, one of them claimed that the “The momentum has not been sustained” (Interview, DAR Region 6<sup>52</sup>, 2013). Participants also could not clarify if after all these years there had been a GAD assessment or gender audit. However, one of them pointed out that the monitoring system of the implementation of AO1 is not in place yet and there was therefore no assessment so far.

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<sup>50</sup> Gender and development (GAD) Nationwide Annual accomplishment Report, CY 2012, [www.dar.gov.ph](http://www.dar.gov.ph). Accessed 11 December 2018.

<sup>51</sup> Interviewees from the DAR National consist of the Planning Division Director, the Special Concern OIC Chief and Agrarian Reform Capacity Development Services Chief. All of them are women. At the regional level, the interviewees were both officers of Region 5 and Region 6. Both are women too.

<sup>52</sup> Interview with DAR Region 6 Director.

(Interview, DAR national<sup>53</sup>, 2013). Furthermore, all participants from the national government agencies and local government units in the land administration and management assessment conference (which I also attended), claimed that an assessment of the impact of their land administration and management policies and procedures on women and men is not part of their programs or plans (see also BLGF 2014:56). The land administration and management institutions lack the mechanism to identify and assess customary practices that affect land access and land tenure security of women. Neither do they have the measures to raise the awareness on equal land rights or encourage couples to acknowledge women's equality on land rights or property ownership, including on land tenure instruments (such as free patents, CLOAs, EPs, etc.) issued by the government's land administration and management agencies (Ibid:56).

Furthermore, the DAR reports (see for example the DAR GAD report 2012) show that not all regions nor provincial offices submit their gender-related data making it difficult to track such data. The DAR website does not show a gender disaggregated data on land redistribution. During my visit to the department in January 2020, an official also pointed out that reports do not necessarily include gender.<sup>54</sup> I was referred to the MISS division to get the disaggregated data on women. Other national agencies, such as Land Registration Authority, the repository of the country's land records, also lack gender disaggregated data. According to them, the Presidential Decree 1529 or the Property Registration Decree does not require them to include such data in their land registration system. In their view, the Women in Development and Nation Building Act of 1992 and the Magna Carta of Women of 2009, "cannot compel them to sex-disaggregate their database" (BLGF, 2014:56). Therefore, the DAR and land-related agencies and land management and administration's lack of gender-disaggregated data create the cycle of systemic failure to assess the extent of women's security on land rights and entitlements.

Overall, the findings show that the level of gender awareness at the DAR level remains limited to few divisions, and key persons of gender advocacy at the agency. Many key officers and rank and file staff lack knowledge and are "not interested", despite the agency's gender policy and mandate. Moreover, the lack of gender disaggregated data creates a difficulty in assessing and intervening on women's equality in land issues. Furthermore, the land administration and management agencies noted the lack of procedure and necessary mechanisms to raise awareness and to recognize and include women in land

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<sup>53</sup> Interview with the Chief, Agrarian Reform Capacity Development Services.

<sup>54</sup> Interview with Planning Division Officer, January 2020.

ownership. In effect, the impact of the recognition of women's equal rights or land entitlement in the redistribution process is low. This is further discussed in the next subsection.

### ***Budget allocation and utilization***

To address gender concerns, the national government has mandated agencies to allot at least five percent of their budget for gender-related activities in accordance with the Philippine Plan for Gender-Responsive Development or PPGD<sup>55</sup>, coined as GAD budget. The GAD budget policy began as an explicit public financing commitment to meet the specific goals, services, and activities for gender equality and women's rights.

In interviews with officials, I found that the utilization of the DAR's GAD budget merely reached one percent. As one of the national staff pointed out, "the COA is even calling our attention to utilize the budget" (Interview, DAR national<sup>56</sup>, 2013). Ironically, especially at the local level, the claim is that there are limited gender-related activities due to "lack of budget" (Interview, DAR local<sup>57</sup>, 2013). These findings reveal mismatch between appropriation and utilization of gender budget between national and local DAR. In the recent DAR plan (2019) it was still noted that less than five percent of the GAD budget were utilized. In addition, it was found that the source of the gender budget is unclear. A national staff, for example, pointed out, "We do not know where to get the budget" ... "in the general funds, in MOOE...", "not even PCW can specify" (Interview, DAR national<sup>58</sup>, 2013). The interviews demonstrated that there is problem with how the agency perceives, prioritizes, and utilizes their gender budgets.

An earlier report has already pointed out this concern. Francisco (2001)<sup>59</sup> noted that many of the agency heads and some Cabinet ranks were not receptive to the policy and funds were being misused. In some cases, funds were reportedly being wasted on aerobics classes, cooking lessons, ballroom dancing and office outings, which prompted some officials in the government

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<sup>55</sup> The Philippine Plan for Gender-Responsive Development (PPGD), 1995-2025, institutionalized through Presidential Memorandum by former President Fidel Ramos in 1996, authorizes government agencies, offices, bureaus, state universities and colleges, government-owned and- controlled corporations and local government units to utilize at least 5 percent of their annual budget for GAD-related activities. For more details, see <<https://pcw.gov.ph/publication/philippine-plan-gender-responsive-development-1995-2025>>, accessed December 2018.

<sup>56</sup> Interview with the female Chief of DAR Special Concerns.

<sup>57</sup> Interview with a male municipal agrarian reform officer (MARO) in Banate, Iloilo.

<sup>58</sup> Interview with the Chief, DAR Special Concerns.

<sup>59</sup> See Francisco, Josefa (2001)

and women's movements to examine GAD fund utilization. Even in the DAR's annual plan and activities, (both local and national) 'fitness activities' were still included (see for example, DAR GAD plan 2012)<sup>60</sup>. At the very least, these findings suggest unclear policy on budget allocation and utilization; weak understanding of the policy; misconceptions on the gender mainstreaming objectives; and weak coordination amongst the agrarian departments and key agencies.

Nevertheless, all the government agencies including the DAR are obliged to submit their plans and budget, as required by the Department of Budget and Management and the Philippine Commission on Women (PCW) and the Commission on Audit. The PCW Officer pointed out that this is also to "seriously audit" the budgeted items. However, "there is no penalty on non-compliance nor incentives on the compliance of the gender mainstreaming", including, for example, the program implementation, budget allocation, plans, establishing statistics, amongst others (Interview, PCW<sup>61</sup>, 2013). He further explained that the agency is merely monitoring government agencies' compliance on gender mainstreaming, based on their reports and plans; hence their monitoring efforts are limited. On top of this, not all agencies submit their reports and plans, resulting in the lack of complete gender-disaggregated data. The agency's limited staff and resources also limit its monitoring efforts and progress.

In sum, the budget allocation and utilization, especially within and by the agrarian agency, calls for more attention and systematic assessment to correct insufficient prioritization and utilization. By doing so, filling the gaps in dissemination of the information on women's land rights and building gender awareness within the agency and agrarian communities could be achieved. Hence, the prospects of equal land rights for peasant women may not remain theoretical but could be realized, through an increased number of women agrarian beneficiaries.

The next section will discuss the status of peasant women entitlement in the land redistribution process and will further investigate the prospects and hindrances to the increase of the number of peasant women beneficiaries.

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<sup>60</sup> DAR GAD Plan (2012), see [www.dar.gov.ph](http://www.dar.gov.ph)

<sup>61</sup> Interview with the (male) Officer, Monitoring and Evaluation Division, PCW, 2013.

### 4.3 Land redistribution and women and men beneficiaries

The latest DAR data recorded 697,140 women being distributed with lands (see Table 6). This represents approximately 28 percent of the total number of agrarian beneficiaries.

**Table 6:** Registered EP/CLOA as of 2018

No. of titles	Hectarage	Male	Female	Total
1,964,999	4,450,440	1,757,546	697,140 (28%)	2,454,686

Source: DAR-MISS 2018, received 2020

In 2015, the record showed a cumulative total of more than 30 percent women land reform beneficiaries from 2000 to 2015 (see Table 7) while 29 percent were recorded overall in 2012 (see Table 8).

**Table 7:** Women and men agrarian reform beneficiaries (ARB), 2001\* to 2015

Year	Emancipation Patent (EP)				CLOA				Total ARBs Number
	Women		Men		Women		Men		
	ARBs	%	ARBs	%	ARBs	%	ARBs	%	
2000*	47,777	12.8	325,808	87.2	358,255	30.1	831,343	69.9	1,563,181
2001	839	17.6	3,915	82.4	18,575	30.6	42,128	69.4	65,457
2002	873	20.5	3,393	79.5	20,846	31.8	44,709	68.2	69,811
2003	1,308	16.9	6,416	83.1	19,931	32.3	41,714	67.7	69,369
2004	467	21.9	1,663	78.1	20,163	34.3	38,660	65.7	60,953
2005	305	21.0	1,149	79.0	22,847	37.4	38,221	62.6	62,522
2006	876	26.6	2,419	73.4	28,724	37.8	47,222	62.2	79,241
2007	959	25.6	2,787	74.4	33,565	38.5	53,622	61.5	90,933
2008	788	28.1	2,021	71.9	33,306	39.6	50,815	60.4	86,930
2009	1,040	26.3	2,917	73.1	14,028	40.2	20,832	59.8	38,817
2010	650	26.9	1,770	73.1	22,349	41.2	31,917	58.8	56,687
2011	591	27.4	1,564	72.6	15,145	38.1	24,573	61.9	41,873
2012	258	24.4	789	74.7	12,997	40.4	19,198	59.6	33,251
2013	299	28.2	763	71.8	16,795	38.1	27,268	61.9	45,125
2014	266	28.4	670	71.6	10,429	36.1	18,470	63.9	29,835
2015	128	35.1	237	64.9	5,990	33.6	11,817	66.4	18,172
Total	57,424	13.8	358,281	86.2	653,945	32.8	1,342,509	67.2	2,412,159

Source: Philippine Statistics Authority Handbook 2016 (sourced from DAR). \*2001 data is a cumulative result from 1972-2000

These data suggest that cumulatively, since the PD 27 to the present CARP, the total recorded percentage of women beneficiaries is approximately 28 to 30 percent as opposed to men beneficiaries of between 70 to 72 percent. This is an indication of a huge gap between the number of men and women beneficiaries in agrarian redistribution process. Moreover, the data also show more than 50 percent decrease in the overall number of new land reform beneficiaries per year, especially from 2009, which also means a huge decline in terms of lands redistributed per year.

**Table 8:** Distribution of EP/CLOA by gender per administration, 2012

<i>Administration</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>	<i>Percentage of female</i>
Marcos (1972- Dec 1986)	1,291	14,584	15,875	8.13%
Cory (Jan 1987-Jun1992)	68,354	340,385	408,739	16.72%
Ramos (Jul 1992-Jun 1998)	264,774	633,351	898,125	29.48%
Estrada (Jul 1998-Dec 2000)	70,465	163,329	233,794	30.14%
GMA (Jan 2001-Jun 2010)	230,971	418,005	648,976	35.59%
PNoy (July 2010-Dec2012)	38,631	59,334	97,965	39.43%
<b>Philippines</b>	<b>674,486</b>	<b>1,628,988</b>	<b>2,303,474</b>	<b>29.28%</b>

*Source:* DAR-MISS 2012

It can be observed that since Ramos' administration (1992-1998), there was a significant increase in the number of female beneficiaries to an overall total of 29 percent (Table 8). However, based on the 2018 data (Table 6), the percentage of women beneficiaries has declined to 28 percent. Moreover, this estimated figure on women beneficiaries is vague and inconclusive of recognition or representation of women's equal land rights. Since the records do not provide data on whether these women agrarian reform beneficiaries are single, wives or partners, widowed (or how many of them fall in each specific category), it is difficult to conclude whether the increase in the number of women beneficiaries is a result of the recognition of women's equal rights. Hence, the question is, how many of these women are considered as 'spouses' which could have determined the consideration of entitlement to 'spouses' as a policy mandate? How many of them are individually entitled regardless of their marriage? How many are single or widowed?

The first two questions are more crucial since this will gauge the impact of the explicit recognition of women in both agrarian law and policy as discussed above. However, since the increase in the number of women beneficiaries does not show this information, an assumption that these women may be mainly the wives of an absentee or deceased husband cannot be discounted.

The third question is not so much a concern in the Philippines since, legally speaking, single and widowed women can become beneficiaries and can acquire land, provided they meet the qualification. The Philippines, in general, has no discrimination against men's and women's rights to inheritance, access, and tenure to land or concerning registration, transfer and disposition of land, although there are instances wherein parents favour their sons in land allocation while investing on their daughters' education (Estudillo et.al. 2001, see also Quisumbing et.al, 2004). The 1987 Constitution guarantees the role of women in nation building, ensures that their fundamental equality before

the law is recognized (Article 11, Section 14) and requires the provision of facilities and opportunities “that will enhance their welfare and enable them to realize their full potential in the service of the nation.” (Article XIII, Section 2). Republic Act 7192 or Women in Nation Building Act promotes women as “full and equal partners of men in development and nation building”. In 2010, Republic Act 9710 or An Act Providing for the Magna Carta of Women, provides that “Recognizing that the economic, political and sociocultural realities affect women’s current condition, the State affirms the role of women in nation building and ensures the substantive equality of women and men. It shall promote the empowerment of women and pursue equal opportunities for women and men and ensure equal access to resources and to development results and outcome.” (Section 2, RA 9710).

Legally, Filipino women’s rights to land are therefore guaranteed, unlike the case of women and widows in Africa, Asia and parts of Latin America, who are still dependent on men’s land ownership (see for example, Agarwal 1994, Morgan 2017, Leon and Deere 2003, Doss et.al 2014). However, as the data present, the number of women beneficiaries remains low compared to men agrarian beneficiaries, and it is likely that these women are either widowed, with absentee husbands or probably single. The wives or partners of coupled beneficiaries are not yet equally recognized and entitled to land, which raises the question, “Why is there a continuous huge gap between women and men land reform beneficiaries in the country until today?”

#### ***4.3.1 Reasons for the huge gap between men and women land reform beneficiaries***

Some of the reasons why there is a huge disparity between the men and women land reform beneficiaries in the country are the following: limited advocacy and lack of awareness of women’s land rights; the gaps in laws/policies and between laws and confusion on women’s land entitlement and; the persistence of male bias in land reform.

#### ***Advocacy and knowledge on women's land rights***

Generally, it is found that the advocacy for peasant women’s land rights by and within the agrarian agency remain limited and not widely promoted in the peasant or agrarian communities. The farmers in general confirmed lack of knowledge on women’s rights in land reform as stipulated in agrarian law and policy (FGD and interviews 2010<sup>62</sup> and 2013). This finding is also

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<sup>62</sup> The same claim was already pointed out in my interviews with SAMFAI members in 2010 for my MA thesis. The FGD in 2013 was with the KMPCI men and women members.



reflected by the report on the assessment conference on land administration and management that I was able to attend through PKKK during the research fieldwork in 2013. This conference emphasized the necessity for peasant women and men to gain knowledge on their rights and responsibilities (BLGF report 2014:19-20). The DAR also affirmed the necessity to strengthen information dissemination on women's equality on land rights to farmers (Ibid). This will be elaborated in Chapter 6.

The limited advocacy within DAR and the absence of knowledge on women's equal land rights by the staff is found especially at the municipal level such as in Masbate and Iloilo (Interviews, DAR local<sup>63</sup>, 2013). However, this is not only true for these two provinces, since the assessment report on land management and administration also noted that in general there is "field personnel's low awareness on national gender policy mandates" (Ibid:8). The DAR affirmed the need to have a directive that would mandate regional and provincial agrarian reform offices to strictly implement AO 1 series 2011. This would include the need for developing the gender capability of field personnel; sustained gender mainstreaming in the land reform implementation; the dissemination of information to farmers on women's land rights; and the assessment of the impact on women and men (Ibid:20). Recently, it is noted that the orientation on the AO 1, series 2011 were only given at the central office (DAR 2019).

### ***Gaps in and between laws and their implications to women***

The legal advancements in gender equality including in land reform process cannot be discounted, as discussed above. However, the gaps or conflicts in laws are still apparent, which makes advocating for women's land rights more crucial. It is already established that peasant women's equal access to and control over land is advantageous for various reasons such as access to credit which, in most cases, requires collateral such as the title of the land (see for example Agarwal 1994). In addition, in the Philippines, land inequality also has legal repercussions. For instance, the Family Code seems to place women on equal footing with men and provides spouses' joint administration and enjoyment of community or conjugal property. However, in case of disagreement between spouses, the husband's decision shall prevail, subject to recourse to the court by the wife for proper remedy (Articles 96 and 124).

The law's bias in favour of males, therefore, places women in a vulnerable position and may deprive them of their equal share, for example, in case of marriage dissolution. Another example is the estate tax - if the title is in the

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<sup>63</sup> Interview with the male Municipal Agrarian Reform Officers in Estancia, Iloilo and Monreal, Masbate.



wife's name or between husband and wife, as spouses, in case of husband's death, the wife will only pay 50% estate tax. In contrast, women should pay 100% estate tax in case of husband's death if the title is in the husband's name (BLGF, 2014:57). In effect, women are in a vulnerable and disadvantaged position, as land is only titled to men.

Therefore, there are advantages in co-ownership between husband and wife, or as land is titled to both spouses: i.) protection of the equal rights of both spouses, as neither of them needs to appear to the court to prove the conjugal nature of land given the explicit co-ownership; ii.) equal distribution of the estates tax payment in case of the death of either spouses; iii.) lesser estate tax, as pointed out above (Ibid:57-58). For married couples, it is also more advantageous if the CLOA is issued in the name of only one spouse to have the possibility for the other spouse to apply for another CLOA, if qualified. The DAR claimed, however, that a separate title issued to legally married spouses (if they are individually qualified), is also placed in the names of both spouses as co-owners (Ibid:55-6).

These existing gaps in laws and their possible implications, especially for women, are not a common knowledge, which makes it easy to deem conjugal property (mostly named after the husband), as unproblematic. As a municipal agrarian reform official in Estancia, Iloilo, insisted, "There is no problem if the women or wives are not put in the title, the land is their conjugal property"<sup>64</sup>. This common belief together with the lack of knowledge on the possible legal implication of women's lack of equal land rights tends to eclipse the importance of recognizing and representing women's equal land entitlement in land reform.

### ***Confusion on women's land entitlement***

The DAR Administrative Order 02, Series of 2009, Rules and Procedures Governing the Acquisition and Distribution of Agricultural Lands under RA 6657, amended by RA 9700 Section IV, F,14 states that:

*"For legally married spouses, the names of both husband and wife shall appear in the CLOA and shall be preceded by the word "spouses". Should the couple qualify as individual ARBs, their names shall be registered in the title, to wit: Juan married to Maria or Maria married to Juan to indicate that the first name is the awardee. In the case of a common-law relationship, the names of both parties shall likewise appear in the CLOA with the conjunctive word "and" between their names. Should they likewise qualify as individual ARBs, their names shall be registered without the other. The same provisions shall apply in*

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<sup>64</sup> Interview, DAR Estancia, Iloilo, 2013.

*cases where the married ARBs or ARBs in a common-law relationship are covered by a collective/co-ownership CLOA and their names annotated at the back of the said CLOA. For purposes of ARB inventory and reporting, spouses or parties whose names appear in a single CLOA shall be counted as one ARB."*

This clearly provides land co-ownership by married men and women by using the terms 'spouses' and using 'and' for the common-law relationship to recognize men and women equal rights. The last sentence though is ambiguous. In case co-owners or spouses are counted as one agrarian reform beneficiary, whose name will appear in the record? Is it recorded with the man or woman's name? If this happens, the increase in women beneficiaries would be questionable.

Nevertheless, my interviews showed that the bases for women's inclusion as beneficiaries in the land title process are unclear to the local agrarian staff. For example, in the municipalities of Monreal and Banate, the DAR field personnel understood that "the name of a spouse can be included in a CLOA only if she or he is a tiller"<sup>65</sup>. Clearly, this could be in stark contrast to the provision that married couples shall appear in the title as spouses, if women's direct and indirect contributions<sup>66</sup> to land development is not overlooked.

Meanwhile, the Department of Environment and Natural Resources or DENR's<sup>67</sup> experience pointed out that the agency's field staff understood that the Public Land Act allows a free patent to be issued in the name of an individual, and thus it cannot be issued in the names of both spouses, even if the land was acquired during the marriage (Ibid:54). However, there is a conflict if we take into consideration what the lawyer of the Land Management Bureau of the DENR explained, that the agency is required to comply with Section 45 of the Property Registration Decree, which mandates conjugal lands to be registered to both spouses (Ibid:55). This disagreement suggests confusions on or different interpretations of the policy provision on women's land entitlement.

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<sup>65</sup> Interview, DAR Banate and Monreal, 2013

<sup>66</sup> As defined in RA 9700 Section 2, "(1) Rural women refer to women who are engaged directly or indirectly in farming and/or fishing as their source of livelihood, whether paid or unpaid, regular or seasonal, or in food preparation, managing the household, caring for the children, and other similar activities."

<sup>67</sup> DENR's function also includes the land survey and approval of survey, reconstitution of lost and damaged survey, inventory of forest occupants and information dissemination (see Ballesteros, 2010:8).

Moreover, ensuring the inclusion of women's names in the land title implies a change of the title instrument, such as the EP/CLOA. To confirm DAR's claim on the use of "spouses", I asked for a sample of an issued land title that named both spouses during my fieldwork in 2013. However, not one staff or official at the local level, where the land titling and its distribution is undertaken, was able to provide one. On the contrary, the sample title instrument and the use of 'married to' remains (see for example Appendix 6). The assessment on land administration and management noted the lack of gender data on the land tenure instruments (such as Certificate of Land Ownership Award, public land patents, etc.) and land applications forms (such as the Residential Free Patent Application Form, Farmer Beneficiary Application Form or CARP Form No. 1, etc.). Hence, it is difficult to assess the extent of land tenure (in)security of women (Ibid:54).

In sum, while the prospects for peasant women to become co-owners or individual beneficiaries is legally supported, this change has not yet materialized. The findings demonstrated conflicting interpretations on women's land entitlement due to the limited information dissemination and knowledge on law and policy governing this process, especially amongst the implementers. There is therefore a lack of effective enforcement of women's equal rights in the case of land redistribution. Technicalities also prove to be significant, since the change in the conventionally used title instrument could allow co-ownership or the woman's name to be equally put on record. Disseminating the legal support on women's land rights at the local level is found key, which may also eventually lead to the questioning of cultural norms such as the persistence of male bias in land reform processes.

### ***Persistence of male bias in land reform***

Land reform processes favour males. This is reflected by making the household as the basis for identifying agrarian beneficiaries. In this scenario, the land is often registered to men and assumed to be conjugal property, which is often linked to the concept of gender division of labour.

### ***Household as the basis for beneficiaries***

The household remains the basis for identifying agrarian reform beneficiaries, with an assumption that property is 'conjugal', and thus gives equal benefit to both husband and wife. However, this needs to be critically unpacked to further understand how it negatively impacts women's equal land entitlement.

There are negative implications in retaining the household as the basis for land entitlement. One of them is that generally men are selected as land reform beneficiaries because they are viewed as the head of the household since

they are considered the farmers. In effect, this almost automatically excludes women from land entitlement. For example, Leonard et.al (2015) shows the prioritization of male farmworkers in the land redistribution in three cases in Mindanao. Alano (2015:14) also found in Isabela, that men are prioritized in the state's land titling, although women may get their land rights through informal and customary ways. Prill-Brett (no date:23), reported that in Bontok, while men and women have interchangeable gender roles and right to land, the men are presumed to be the heads of households. Earlier studies (Illo, 1992 and 1995) also pointed out that family headship is often assigned to the husband regardless of shared decision-making authority and power between couples. In West Kalimantan, Indonesia, the assignment of land registration to family heads had eroded the women's access to land (Julia and White, B., 2012).

This unquestioned association of household headship to men also relates to the assumption that a household is unified and egalitarian, and therefore benefits the household members equally. On the contrary, studies show that the household is often a site of oppression, exploitation, and violence against women (see for example Agarwal 1994). Prill-Brett (no date:23) showed that because men are presumed to be the head of the household, women are excluded from development interventions such as training, association membership, credit access, and technology (see also Leonard et.al, 2015). Misguided assumptions about household and conjugal property, therefore, neglect the differentiated position of women and their economic and social contributions and productivity, as well as their strategic interests and opportunities. Peasant women are excluded simply for being women.

### *Gender division of labor*

More often, the above assumptions are connected to the belief that men are in productive work and women are in reproductive work, but this binary understanding is problematic. For example, as Prill-Brett (no date) showed in a study of highland communities in the Philippines, gender relations of men and women are not necessarily dualistic but rather interchangeable (Ibid, 21-22). There is an overall sharing of economic, social, and ritual powers and freedom between men and women. Thus, women are not confined in the house nor publicly isolated (Ibid). Similarly, Eder (2006:412-413) found in fishing and farming communities in Palawan women's important and even leading role in economic activities and diversification of household income. Hence, the divide between 'public' (men) and 'domestic'(women) is contradictory with Philippine households' authority and power that is generally shared. Instead, such binary lead to women's discrimination and exclusion from development programs (Illo, 1992:182-189).

Similarly, the case studies in this research show the interdependency of productive and reproductive work, especially in the case of poor, landless peasant household in the coconut and sugarcane areas (where peasant households rely on wages of approximately three euros per day). Their wages can barely sustain a household with six members (the average in the country), without household members helping or sharing and performing alternative work and creating other sources of income. Therefore, women and even children are also obliged to be productive and active to increase household income.

The husband's income from farm or farm wages alone cannot be a reliable source of livelihood for poor, landless peasant households. This is because, on top of low wages, farm work is also seasonal, which could lead to families' starvation. Hence, landless peasant households choose to engage in off-farm work like household help, selling, carpentry, fishing, etc. It is, therefore, unlikely, for peasant households to survive without other sources of income apart from farm work wages gained solely by men. Dependence on men to meet all the families' needs is therefore unrealistic and unfair. Their strength and abilities are also finite. Therefore, patriarchy is also disadvantageous to men.

Furthermore, the binary notion of work – productive vs reproductive – often puts women behind because between the two, the former is given higher value and recognition, economically and socially. This categorization, apart from resulting in women's exclusion to equal land entitlement or unequal wages, also tends to cause lack of recognition and devaluation of women's productive work. Often, women's livelihood activities are only considered as supplemental even if their income is bigger than men's (Hill, 2011: 239). The equation may be less problematic if indeed women are not producing income but are only managing the household. However, as pointed above, this is not the case and not viable especially in a poor, landless peasant household. Besides, as Hill (2011:243-244) pointed out, the gender divide between 'responsible mother' and 'male provider' is problematic, especially if it is not problematized in development intervention because women manage the risks that come with more work responsibilities and could dislocate men in case of women-centered development intervention.

The notion of household and gender division of labor, therefore, is an important site of analyses, as it is both a site of agricultural production, household labor, social reproduction and exploitation and discrimination against women, as in land rights. With these conventional assumptions, women remain invisible and less valued, which boils down to their exclusion including

from both land redistribution and entitlement. These unquestioned stereotypes, mindsets, and norms, however, persist, and therefore require further scrutiny. Chapter 6 elaborates on these by focusing on the experiences of peasants.

Overall, land redistribution remains highly contested and faces several challenges, especially for peasant women. The next section discusses the status of land redistribution and the challenges faced by peasant women and men in claiming their rights.

### 4.3.2 Land redistribution status, impediments, and challenges

DAR data revealed that the land redistributed in 2009 is 4.1 million and in 2018, totals to 4.4 million hectares with registered EP/CLOA (see Table 9).

**Table 9:** Land redistribution and EP/CLOA registration (2009/2018)

Year	Total hectarage	Total ARBs
2009	4,166,023	2,431,271
2018	4,450,440	2,454,686
Difference	284,417	23,415

*Source: DAR 2009 and DAR-MISS 2018*

This data also shows that in a span of almost ten years, only less than 300,000 hectares of agrarian lands were redistributed. Therefore, there is a huge gap in terms of land redistribution accomplishment.

### *Huge gap in land redistribution and accomplishment*

Deducting the DAR accomplishment of 2018 (4.4 million hectares) to the DAR inventory CARP scope of 5.2 million hectares (see Table 1.1) leaves out a remaining 800,000 hectares balance for redistribution. Earlier on, this changed target was contested, and one of the justifications is the reduction of the CARP's 1988 original target of 10.3 million to 8.1 million hectares (Borras, 2007:139-141, see also Borras 2008). Deducting around 2 million hectares to the original CARP target.

In 2009, the CARP five-year extension (2009-2014) targeted 1.3 million hectares for land acquisition or a coverage of around 260,000 hectares per year. However, only 4.25% EP/CLOA were distributed in 2012 under Benigno Aquino III administration (see Table 1.5).



The Task Force Mapalad<sup>68</sup> claimed that in 2013, out of 160,000-hectare land acquisition and distribution target, the DAR accomplishment was merely 16,327 hectares or 4.5% of the annual target including the 74,653, 2011 backlog and 2012 balance. Agrarian advocates were deeply disappointed by the 'dismal' decline of land acquisition and redistribution (Interview with TFM, SARA<sup>69</sup> and Rights, Inc.<sup>70</sup>, 2013). As one of them noted,

*Given DAR's dismal distribution record under the Aquino administration, there is no way that the Department will be able to complete the redistribution backlog.*<sup>71</sup>

PKKK leaders also pointed out their frustrations,

*The glimpse of hope that the rural women are expecting due to the passage of CARPER is slowly vanishing because of the very slow and dismal implementation of the law. Women agrarian reform potential beneficiaries continue to suffer from non-recognition as rightful owners of the land.*<sup>72</sup>

Recently, TFM, Inc. blamed the government's lack of political will for the continuous delay in land reform and issuance of CLOA, as experienced for instance in the province of Negros Occidental.<sup>73</sup>

Moreover, there are cases wherein 'agrarian beneficiaries' are not actually installed, fully or partially, to the areas awarded – therefore, they had no access to the awarded land. This is what happened to KMPCI members who got their title in 2006 but were not installed until 2014<sup>74</sup>. KMPCI's case,

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<sup>68</sup> TFM is a farmer organization from Negros Provinces and other parts of Visayan Island, Southern Tagalog, and Mindanao. The interview was with Lani Factor and with some intervention from Manding Jarilla, founders and key leaders of the organization. To follow and visit see <https://www.facebook.com/pages/Task-Force-Mapalad/1527865897476547>

<sup>69</sup> Save Land Reform Alliance is a coalition formed in 2009 by different farmers' organizations and NGOs that advocate for CARP completion. An interview with Mary Ann Manahan of the Focus on the Global South, who was then the Secretariat of the coalition, raised the same sentiment. See also Manahan, 2013.

<sup>70</sup> Rights, Inc. or Rural Poor Institute for Land and Human Rights Services, Inc., a splinter of PEACE Foundation, Inc., continues the advocacy for agrarian reform, rural development, and rural democratization. An interview with Danilo Carranza, the National Coordinator of the organization, noted the same frustration on the government's neglect of land redistribution. To follow, see [www.rightsnetphils.org](http://www.rightsnetphils.org)

<sup>71</sup> Interview with Lani Factor, a woman TFM, Inc. leader who has been working with the peasants for the past few decades, 2013.

<sup>72</sup> Interview with Daryl Leyesa and Ampy Miciano, the first and current Secretary-General of PKKK, respectively, 2013.

<sup>73</sup> See for example, Gomez, C. (2019).

<sup>74</sup> See Chapter 6 for a more detailed discussion.

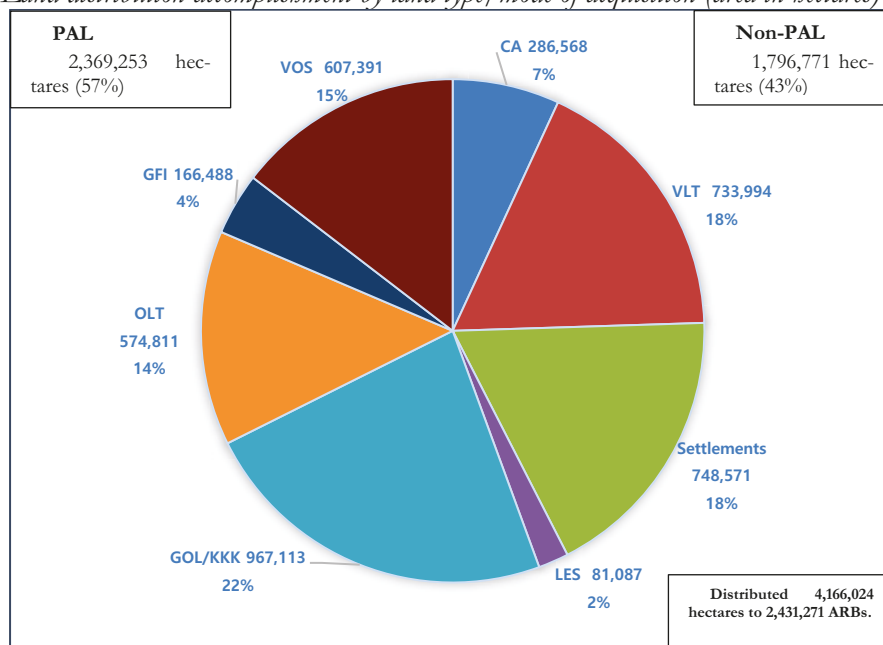
however, is not an exemption as there are many cases of CLOA holders or land reform beneficiaries that do not necessarily have actual access to the awarded land, as claimed for instance by TFM, NOFFA and Rights, Inc. (Interviews, 2013). However, no available record shows the extent of the said cases. In general, there is problem in agrarian data. The DAR itself pointed out that data inconsistency, lack of information and documentation, and unsystematic and unreliable management information system also causes the delay in land acquisition and distribution (Arlanza et.al., 2006:vi-vii).

Furthermore, the data showed that there is non-inclusion and non-prioritization of the big landholdings in the DAR work target, and the prioritization of non-redistributive schemes or otherwise known as voluntary land transfer (VLT) and voluntary offer to sell (VOS), as initially pointed out earlier. PEACE Foundation, who actively engaged the DAR for CARP implementation, for example, claimed that the biggest landlords owning a thousand hectares of lands such as Cojuangco's, Benedicto's, Floirendo's, Lopez's, and Reyes' are not included in the official DAR workable targets (PEACE, 2006:2).



**Figure 2**

*Land distribution accomplishment by land type/ mode of acquisition (area in hectares)<sup>75</sup>*



Source: DAR Accomplishment Report 2009

The compulsory acquisition (CA) is supposed to be the main mode of acquisition of the agrarian program. Yet, as the report showed (see Figure 1), it only represents seven percent of the land reform cumulative accomplishments in 2009. The VLT/VOS, on the other hand, covered 33 percent of the targeted land acquisition. The schemes are controversial, since while the ‘voluntary’ seems to indicate willingness of the landowners to subject their estates to land reform, in many cases the schemes are dubious and are used to evade

<sup>75</sup> There are two types of agrarian lands, the PAL and non-PAL as explained in p.6 (this thesis). These lands are redistributed through various mode of acquisitions: the compulsory acquisition (CA), voluntary land transfer and voluntary offer to sell (VLT/VOS), through operation land transfer (OLT) as mandated by PD 27, government financial institution (GFI), landed estates (LE), and government owned land (GOL) through Kilusang Kabuhayan at Kaunlaran (KKK) and settlements. For more details and comprehensive explanation see, for example, Borras (2004).

land redistribution. As explained by Ka Iking<sup>76</sup>, one of the participants of this research,

*The schemes have been used by the landowners to retain control over the land through 'agreements and contracts' enforced to the beneficiaries. In many cases this is also facilitated by DAR. (Interview in Negros Occidental, 2013).*

Similarly, Putzel (1992:363) pointed out that “while workers were given the formal right to choose whether to lease back lands granted to them by the government or to accept corporate stock-sharing programmes from estate owners, no system was established that they could understand what their choices really were.” Through the VOS, graft and corruption became possible as marginal lands were sold to the government at high prices (Ibid). The schemes become a channel for corrupt deals (Ballesteros 2010:17). The VOS and VLT covered 1.3 million hectares of the total CARP accomplishment that costs to 81billion pesos (PD 27) and 154billion pesos (CARP) (Ibid). Borras (2007:146-149) discussed the extent and geographic distribution and outcome of VLT.

The DAR itself pointed out the misuse of the VLT/VOS and the commercial farms' deferment scheme to delay the coverage of land for distribution (Arlanza et.al, 2006:vi). The report further pointed out that the landowners' strong opposition remains a major bottleneck to the land reform completion, as they contously use various counter-tactics, including rejection of land valuation to delay the coverage with support from legislators, judicial and or executive officials (Ibid:v-vi). The report, however, does not show the gender-differentiated impact of (non)land redistribution on men and women (potential) beneficiaries. In the extension of CARP in 2009, the VLT was removed as a mode of acquisition.

Moreover, the landowners' opposition often involves violence against peasants and agrarian advocates.

### ***Violence against AR activists and peasants***

Various experiences of violence against men and women farmer beneficiaries and potential beneficiaries can be found throughout the country. Efforts to prevent land redistribution and installation of agrarian reform beneficiaries in

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<sup>76</sup> Enrique Tayo, a man peasant leader, known as Ka Iking, is the President of the Negros Occidental Federation of Farmers Association (NOFFA) Inc. He was formerly one of the Presidents of and the current UNORKA Secretary-General. NOFFA is the biggest group of a farmers' association in the province of Negros Occidental, the sugar land province that has the greatest number of undistributed and most contested land. The organization has actively engaged the DAR since the 80s.

private lands resulted in several deaths, injuries, evictions, illegal arrests, imprisonment, intimidation, verbal abuse, destruction of houses, etc. (see Formanes et.al., 2008). Several men and women farmer leaders like Enrico Cabanit<sup>77</sup>, Teresa Mameng<sup>78</sup> and many more peasant leaders died or were killed as they fought for their land rights. Unnecessary deaths and violence stemming from landowners' resistance to land redistribution carry on and are experienced by landless peasants in various forms. For example, Franco and Carranza (2014) elaborate various cases of violence and peasants' experiences in Bondoc Peninsula. In a recent study, similar incidences of violence in the province is still noted (see Isaac, F. et.al, 2018).

Often, private security guards are systematically mobilized and organized to counter peasant reform initiatives, for instance in Negros, many parts of Mindanao and other areas, resulting in peasant casualties (PEACE 2006:3). The police and the military were also used to restrain peasants' reform initiatives (Ibid). To start conflicts between farmers, the landowner also recruits other farmers to occupy land that farmers are already cultivating, "but they did not succeed since the recruited farmers left overtime" (FGD with KMPCI, 2013).

However, this may be true in some cases but in many instances the landowners do effectively use other farmers for their purposes by using "guns, goons and gold" (PEACE 2006:3). Rutten (2010) also shows the intra-poor conflicts in Negros Occidental, sometimes between pro-land reform workers and 'pro-planter' or between resident and non-resident landless workers influenced by different groups or stakeholders.

Nonetheless, several participants in this research pointed out that they also must defend themselves from the violence inflicted by the landowners. A female leader pointed out that in some instances,

*"When the farmers can no longer avoid it, they also fight back by using bolos..., which somehow made the guards and or goons relatively threatened as well. That is to let them know that the farmers will fight". (Interview<sup>79</sup> 2013)*

However, it was also pointed out that their tools are not comparable to the guards' high caliber arms, "our tools are very far from and will not match the goons or the guards' caliber of arms". Instead, she further claimed that their

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<sup>77</sup> Enrico Cabanit was the Secretary-General of UNORKA who was murdered on 24 April 2006. For more details on this and other agrarian-related killings, see Franco, J. and P. Abinales (2007).

<sup>78</sup> She died from a gunshot fired by the hacienda Conchita Villabueva's security guards on September 3, 2004 in barangay Sag-ang, La Castellana, Negros Occidental (see Palses-Tupas, 2006:44).

<sup>79</sup> Interview with Kababaihan-Pilipinas leader.

unity in the organization and good ties with their local officials are often their protection from violence. However, having close ties with local officials is not possible in most of the rural communities, because “many officials conspire with the landowners”, the participant added.

***‘Criminalization’ of farmers and legal battle in land redistribution***

The landowners’ land reform resistance became more sophisticated, using the loopholes of the law to block and disenfranchise the farmer (potential) beneficiaries. Civil and criminal cases were and are still being filed against the farmers and stakeholders, such as petition for injunctions, temporary restraining orders, civil cases, or ‘criminalization’ of the farmers in the regular courts. Even without jurisdiction, the regular courts in many cases issued orders such as temporary restraining orders or permanent injunctions, or decisions on just compensation, amongst others. See for example the experiences of Negros Occidental (see Palses-Tupas 2006) and Bondoc Peninsula (see Franco J. and Carranza D. 2014, also Isaac, F. et.al, 2018). The DAR itself attested to the landowners’ ‘legal manoeuvre’ to prevent land redistribution by influencing the lower courts, for instance, by filing petitions to issue temporary restraining orders against DAR field staff (Arlanza et.al, 2006: v). This shows that legal cases or criminalization of land claims are not only lodged by the landowners against the farmer claimants but also against the DAR staff.

Criminalization cases, however, are entertained by the regular courts even though the CARL provides quasi-agrarian courts and voluntary arbitration bodies to handle conflicts on agrarian-related or tenure relations and finances (Sec 50, RA 6657). These are handled mainly through the DAR Agrarian Adjudication Board (DARAB), which resolves agrarian disputes and related agrarian cases with provision of free legal assistance to farmers and beneficiaries. The body also has the power to summon witnesses and issue subpoenas. At the provincial level, the Provincial Agrarian Reform Adjudication Department (PARAD), through its adjudicator, hears petitions for the injunction and cancellation of CLOA, determination of just compensation for landowners, and in cases of conflicts between beneficiaries.

Many years back, the DARAB received an average of 15,000 cases annually excluding 10,000 cases pending for resolution, claiming that the lack of manpower delays the resolution of cases and causes the accumulation of backlogs (Palses-Tupas, 2006:44). In Negros Occidental, when landowners are formally informed by the DAR of the agrarian coverage, they immediately file a petition for injunction and issuance of temporary restraining orders in the regular courts. In some cases, the landowners file civil cases of unlawful detainer or ejectment against rights claimants’ sugar workers, which results in the farmers’ displacement (Ibid). In the experience of Bondoc Peninsula, the

farmers initiated an organized collective 'mass surrender' to counter the landowner's legal offense or criminalization of peasants, to avoid dangerous arrest, and call the attention of policy makers, government agencies and the public (Franco and Carranza 2014:58, see also Franco 2008 and Isaac et.al 2018). Chapter 6 discusses two cases with similar experiences.

While not all filed cases were granted, several of them had succeeded in preventing the DAR to proceed with the coverage, which then resulted in the displacement of claimants. Landowners evaded land redistribution through the judiciary, conveniently using the courts to harass peasant men and women through criminalization (PEACE 2006:2). Even a circular from the Supreme Court (SC) did not deter the lower courts from taking agrarian cases including the criminalization of agrarian beneficiaries or potential beneficiaries. Lawyers for landowners, as well as the courts, have made the existing agrarian laws a legal straitjacket that complicates and blocks the full realization of CARP implementation (Ibid).

Nevertheless, while the criminalization of agrarian cases is employed by the landlords in the assumption that the farmers will be threatened and will drop their assertions, men and women farmers assert their rights and fight back. As one of Unorka and Kababaihan Pilipinas leader stated,

*[...] the farmers are becoming more assertive especially with the assistance of different organizations and support groups. The farmers are becoming much more determined. Although farmers become pitiful especially when they end up inside the jail and it is their first time to be jailed. Even if we are poor, we never experienced being jailed. It's a pity and a shame' (Ka Cita<sup>80</sup>, July 2010).*

However, since studies (for example, Franco and Carranza, 2014, Isaac et.al 2018) do not present gender-differentiated experiences in land assertion and experiences of criminalization, we cannot see the differentiated roles of men and women and the possible gender-differentiated impact. Nevertheless, in some instances, landowners only reacted upon CLOA issuance, and petitioned for CLOA cancellation at the provincial adjudication body. The data on cancelled CLOAs are not included in the DAR report but there are cases which do, for example, in the case of Hacienda Bonifacia<sup>81</sup> (Pales-

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<sup>80</sup> Ka Cita is a woman leader, a President of her local organization, which is both a member of Unorka and KP, where she is also a key leader.

<sup>81</sup> Bonifacia property is owned by the heirs of Bonifacia Montilla vda De Veraguth. The property was purchased in 1988 by Soledad Cojuangco, covered by land reform in 1989, followed by CLOA issuance but Cojuangco filed for its cancellation in 1992. Three years later, the first batch of occupants was

Tupas, 2006:44). Such cancellation of CLOA or reversal of redistributed land is referred to as ‘second generation problem’.

**‘Second generation problem’**

In several cases, the land had already been awarded to the land reform beneficiaries, but they face what is known as a ‘second generation problem’. Usually, these problems include cases of reversals such as cancellation of CLOA, lease or sub-lease of the awarded lands, and selling of land rights. In Negros Occidental, for example, many of the beneficiaries lease their lands through ‘arrangements’ so that the land can be ‘distributed’ (Ibid:156). Although an alternative arrangement was allowed by the agrarian department as last recourse, recently, this arrangement became rampant. The lack of capital and support services especially in the sugar lands pushes the beneficiaries to enter into lease agreements with investors or the former landowners. The lease agreements range from P8,000 to P14,000 (or less than 100 to 150 euro) per hectare per year with a promised of incentives as production reaches a quota (Ibid).

Meanwhile, the DAR has no monitoring of the rampant practice of lease, sub-lease, and sale of rights, hence its extent is difficult to determine. However, in Negros Occidental, for instance, many believe that more than 50% of CARP awarded lands were already out of ARBs’ possession (Interview, Ka Iking, 2013, see also Palses-Tupas 2007). Cases filed for disqualification at the DAR legal division and the local offices are pending either on appeal or final execution (Ibid: 273). In a provincial-wide survey in the same province in 2007, 41 percent of 2,325 ARBs had leased out (also known as *arriendo*), mortgaged, or sold their awarded land (Rutten, 2018:207). Most of the beneficiaries in hacienda Luisita in Tarlac have also entered the *arriendo* system (Reyes, 2018:95). However, since the systematic data on these second-generation problems is not yet accounted for, it is difficult to ascertain its extent and more so its gender-differentiated impacts.

In summary, land redistribution in the country is characterized by a serious decline brought about by landowners’ persistent and violent opposition and the state’s lack of political will in guaranteeing that peasant men and women’s justice claims are recognized and responded to. This reality is best reflected by the failure to fully implement the program after all these years. Instead, there is only a very slow, or ‘dismal’ land redistribution coupled with the landowners’ manoeuvrings or circumventing of the laws. This is most apparent

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evicted, houses were bulldozed, and the property was cleared in December 1996. Later, the property was subjected to voluntary land transfer and joint venture agreement (Palses-Tupas, 2006:67).

in the prioritization of VLT/VOS, criminalization of peasants, and the inconsistency in recognition of women's rights, overall resulting to a continued low number of women agrarian beneficiaries.

#### **4.4 Summary and Conclusion**

This chapter shows the crucial challenges and hindrances to land redistribution and recognition of women's land rights in agrarian reform in the Philippines. The findings reveal the persistence of injustice for landless poor men and women brought about by the incompleteness of land redistribution. This failure exacerbates poverty in the countryside and has historically taken the lives of several men and women involved in movements which fought for peasants' rights. In many cases, even the redistribution of lands does not necessarily mean that the agrarian beneficiaries would have actual access to and control over the land. Most of the redistributed land that is under the scheme of VLT and VOS, and cases of 'second generation problem' also raise questions of its real redistributive impact to the peasants.

Recognition of women's land rights is also underprioritized. Male bias in land redistribution remains the norm, despite established legal support and policies on women's land rights. Hence, while the agrarian data show that approximately 30 percent of beneficiaries are women, this does not necessarily represent equality in terms of women's land entitlement. It is also found that this figure only increased to approximately 32 percent in 2018. This significant gap is reinforced by the various limitations in the enforcement of gender mainstreaming policy and agrarian provision on women's equal land rights. In general, it is found that the promotion or advocacy of gender equality within the agency remains limited as shown by the limited gender awareness or even the lack of knowledge on gender policy among the agency's officers and staff, especially at the local level and in agrarian communities. As a result, in most cases, the men get selected as the agrarian beneficiaries since they are considered as the heads of the household or farmworkers, ultimately resulting in women's exclusion. This is also reinforced by the conventional belief that conjugal property benefits couples equally. The limitation of the agency's enforcement of gender equality in the agrarian process is also shown by the gender-blind title instruments, inconsistent gender databases, gender-blind reports, limited budget allocation and utilization, amongst other problems.

Ultimately, understanding the objectives and philosophy behind the agrarian gender policy and law and the importance of women's individual land entitlement or co-ownership, is fundamental in increasing the number of women agrarian beneficiaries. This points to the need for agrarian agency's



active promotion of the gender agenda in the land redistribution processes to address gender injustice and women's exclusion from land entitlement and other agrarian benefits. Hence, while the Philippines is one of the top-ranking countries in terms of gender equality (the 5th in the latest World Economic Forum (WEF) Global Gender Gap Report following rich countries of Iceland, Finland, Norway, and Sweden) (Bekhouche et al., 2013), this is not reflected in land redistribution, wherein peasant women remain marginalized due to continuous biases favouring men.

The study also suggests that since most of the studies on land reform (and/or land grabbing) in the Philippines are gender-blind (see for example, Isaac et.al 2018, Franco and Carranza, 2014; Borras, 1998/2008, Formanes et.al, 2008, Arlanza et.al, 2006), there is a need for studies that acknowledge and critically analyse men and women's differentiated experiences and interests in land reform issues. Recognizing the limitations of a gender-blind analysis and land redistribution process is the first step in challenging the gender injustice in agrarian matters, especially the historical exclusion of women in land redistribution. In the next chapter, the evolution of women's movements and the recognition of women's rights in the country is discussed and analysed.





+Ka Betty Santiago (deceased), was the first KP president. This photo was taken in 2008 when she was delivering her speech during the vigil in front of the Congress. At that time, the peasant movement was lobbying for CARP extension. Taken by the author.



5

## Filipino women's social movement, representation, and land reform

### 5.1 Introduction

In the Philippines, few but important studies, illustrate the crucial role of women in the movement, for instance, during the Hukbalahap period in the 40s (Lanzona, 2009) and during the intensive militarization during the post-Marcos period in the mid-80s and early 90s (McGovern, 1997), the early period of CARP. Elsewhere, studies have already applied a gender lens on land-related concerns to some extent, for instance on the impacts of land dispossession on women (see Levien, 2017, Morgan, 2017, Doss et.al 2014, Julie and White, 2012). However, there are few studies on the gendered responses to land struggles (Hall et.al, 2015, Hennings, 2019) and the political responses from below remain missing (Hall et.al, 2015:482).

The gap is the same if not larger in the Philippines as most of the social movement and agrarian studies, especially on agrarian-related political responses and mobilizations, are gender-blind, as earlier noted. Gender blindness in this study is defined as the absence of a distinct analysis of the role of, and relations between peasant women and men. These differences can result in the invisibility of women's interests, roles, and participation in social movements and the agrarian question. Feminists' assertions and various initiatives through time, however, have paved the way for the critical unpacking of the invisibility of women and the advancement of their rights and interests, for instance, Lanzona (2009) and McGovern (1997), as initially pointed out above. However, women's interests and contribution in agrarian matters remain generally under-studied and peripheral, and this study aims to fill this gap.

This chapter highlights women's roles in the Philippine social movement and the advancement of their land reform-related interests, which are analyzed within the agrarian gendered justice framework (Figure 1). First, I discuss how women have been represented in the land reform movement and illustrate women's roles by giving an overview of the national people's movement in the Philippines, as informed by two important studies by Lanzona (2009) and McGovern (1997). Second, I discuss the birth and evolution of the women's movement in relation to land struggles to highlight the lack of

gender equality and the recognition and representation of women's roles and interests. Third, I address social movements and the birth of the PKKK and KP and their engagement in land reform or redistribution and campaigns for the recognition of women's rights and justice through CARP. Finally, I critically reflect on the representation of women and women's rights, especially land rights, and the advancement on gender equality in the movement.

This chapter will use historical sources and earlier studies and documents and will be supplemented by interviews and representation of women's activism, especially in land question and struggles for equality. Overall, this chapter attempts to discuss women's land struggle and activism by addressing the following questions: what roles did women play in the evolution of Philippine social movements? How are women represented and how do they assert their concerns and agenda? What are some of the lessons and challenges Filipino women activists experienced throughout these years?

## 5.2 History of social movements and the representation of women

### 5.2.1 *Earlier peasant movements and agrarian unrest*

The Philippine agrarian structure, created from Spanish and American colonization, triggered historical agrarian unrest. According to Hayami et al. (1990), prior to the 1896 Revolution, peasant uprisings fought against the Spaniards' cruelty, imposition of forced labour and dislocation of peasants' agricultural tradition, and the friars' opposition to peasants' native religion (1990:44-45). The 1896 Philippine revolution, or the anti-colonial struggle, was basically a peasant movement that carried on when the American regime took over. This movement was characterized by violent encounters between landlords, their private armies and government troops on one hand, and the peasant organizations on the other (led by the National Union of Peasants in the Philippines), which eventually supported the 1930s Communist Party of the Philippines (Ibid, cited from Berja, 206 and Kerkvliet, 1979). Through the Treaty of Paris, the Spanish-American war concluded with compensation of friars' estates of about 200,000 hectares for \$6.9 million in 1905 (Ibid, cited from Pelzer 1948:90-91). However, the expected nationalization of all large landholdings promised by the Malolos government established during the 1896 revolution did not materialize. Instead, the Americans' shift to crop exports developed large haciendas and increased land acquisition that spiked land values. Peasant resistance increased and their organizations were formed, hence the birth of Katipunan ng mga Kasama at mga Manggagawang Bukid sa Pilipinas in 1922, later renamed to the Katipunang Pambansa ng mga Magbubukid ng Pilipinas or National Peasants' Union. In 1930, the Partido

Komunista ng Pilipinas or Communist Party of the Philippines (CPP) was founded yet proclaimed illegal two years later (Ibid, 47-8, see also Putzel, 1992).

During the revolution against the Spanish and American colonization, Filipino women performed a variety of roles – as fighters and combatants, messengers, nurses or medical providers, sentinels, soldiers, mothers, fund-raisers, spies, strategists, amongst others (Doran 1999:364). However, women's roles had been historically largely unaccounted for and if represented were either minimized, concealed, restricted, and domesticated as secondary to patriarchal gender roles. This prevented the equal recognition of women and their contribution in the history of the revolution. It was only with the suffrage movement (from 1907) that women's activism became visible (Ibid, 364-373). In other words, while women performed crucial roles and were represented in the anti-colonial movement all along, they were not recognized by their own male peers as crucial contributors to the struggle. The same is true in the context of the current land redistribution struggles.

#### *The Hukbalahap rebellion*

When the Japanese colonized the country, the Hukbong Bayan Laban sa Hapon (Hukbalahap) or Peoples' Anti-Japanese Liberation Army was established on March 29, 1942, initiated by the old communist party or PKP and peasant organizations in Central Luzon with only one female guerrilla leader, Felipa Culala or Dayang-Dayang (Lanzona, 2009:36). The Huks resisted the Japanese by building mass-based alliances from different groups across all classes from peasant and workers unions, nationalist and progressive organizations to mass-based forces (Ibid, 36-40). After the Second World War, from 1946 to the early 1950s, the Huks were pressed into rebellion by the abusive agrarian structure. This led to the continuation of peasant struggles (Ibid, 48-9).

When the Americans returned in the country in 1945, the tension and rebellion within the National Peasants' Union had reignited and in 1953, anti-communist and pro-government farmers' organizations emerged, such as the Federation of Free Farmers. The left-wing peasant movement was restored through the Malayang Samahang Magsasaka established in the 60s. Meanwhile, the resettlement of migrants from Luzon and Visayas in Mindanao, together with the large-scale investment by transnational agribusiness corporations and the creation of a North-Filipino/Christian bureaucracy galvanized the Muslim Independence Movement in 1968, and subsequently the creation of the Moro National Liberation Front and the Bangsa Moro Army (BMA) in 1971 (Ibid, 48-50).

### *The Communist Party of the Philippines*

In the 60s, the agrarian structure was transformed from shared tenancy and leasehold to hired-labour and mechanized farming introduced by the modern capitalist corporate plantations and foreign investments on vast tracts of lands for agribusiness (Villamil, 1989:7). Hundreds of thousands of peasants joined peasant organizations like Kilusang Magbubukid ng Pilipinas (KMP) or Philippine Peasant Movement, Alyansa ng Magbubukid ng Gitnang Luzon or Alliance of Central Luzon Peasants, amongst others. The Communist Party of the Philippines (CPP) was re-established on 26 December 1968 and the declaration of martial law on September 21, 1972, has intensified the militarization in the countryside (Ibid, 7-8).

The peasant struggle was under the influence of the CPP<sup>82</sup> and its military arm, the New People's Army (NPA), with a major focus on agrarian matters,

*“The people’s democratic revolution is essentially a peasant war because its main political force is the peasantry, its main problem is the land problem, and its main source of Red fighters is the peasantry”.* (Hayami et.al, 1990:49).

However, the new communist movement linked agrarian concerns to a broader ideal, “the people’s armed revolution to overthrow and replace the fascist dictatorship...” (Ibid, cited from Guerrero 1969, CPP 1981 and NDF 1977). Putzel also pointed out that “Ever since the Huk uprising in the 1950s, it has been the peasant movement, whether mobilized in legal peasant organizations or in the communist-led guerrilla army, which has kept agrarian reform on the state’s policy agenda.” (Putzel, 1992:372).

The earlier social movement, therefore, was led by the peasants and characterized by agrarian unrest. Women’s roles and representation in the movement is discussed in the next subsection.

### **5.2.2 Peasant women’s activism and representation of their roles and interests**

The *Amazons of the Huk Rebellion, Gender, Sex, and Revolution in the Philippines* by Vina A. Lanzona (2009), highlighted women’s crucial role during the Huk-balahap rebellion from the ‘40s. Lanzona highlighted the central role of women in the Huk rebellion and their various tasks. Women “...learned their

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<sup>82</sup> The Communist Party of the Philippines (CPP) was inspired by China’s communism, oriented by Mao-Zedong’s peasant-based revolutionary strategy (see for example Villamil et.al, 1989, Hayami et.al, 1990). In the 90s, this Maoist frame became central to the debate and split within the CPP/NDF (for details and interesting discussions, see for example, Rocamora, 1993, 1994, Rutten (ed) 2008).

communist catechism, trained as soldiers and spies, drilled in the use of weapons, and became highly skilled in the arts of war.” (2009:7). Women were also community organizers, educators, couriers and intelligence agents, propagandists, nurses, and medics who assisted wounded and sick soldiers, administrative workers such as transcribers, treasurers and assistants of the leaders, and housekeepers in the headquarters or in their homes in the villages (Ibid, 50-66). However, despite the recognition of their ‘indispensable support’, these roles were never given due recognition by the Huk leaders (all males) (Ibid, 66). In other words, women carried out active roles across gender divides, but these were not equally valued with the stereotypical roles performed by men in the movement. These men, meanwhile, did not at all engage with housework, childcare, and other tasks often performed by women.

Lanzona also pointed out the gendered Japanese brutality, as women were raped while men were tortured and killed when they rebelled (Ibid, 30-36),

*“Women who followed their husbands and fathers into the movement usually ended up taking care of their needs, as well as the needs of other male members...in the forest camps and barrio bases, they were expected to do the kind of work they normally did in their households...For the most part, they obeyed the orders of the Huk men, and even after many years in the movement most women were kept out of leadership positions and their work was frequently described and disparaged as no more than the support of the main task: military combat.” (Ibid, 69-70).*

Women did not complain about the assigned reproductive roles they were expected to perform after their guerrilla work and they even treated it as “their foremost duty in the movement.” (Ibid). On the other hand, the combat duty, as a policy, was exclusive to men. This shows that gendered division of labour was strictly embedded in the Hukbalahap, reflected by the gendered hierarchical expectations categorized as ‘private’ and ‘public’/‘reproductive’ and ‘productive’. Consequently, reinforcing the idea of ‘men as defenders and women the defended’ or ‘men as strong, women as weak’ became common, thereby limiting women’s participation, and reinforcing women’s invisibility (Ibid, 70-71).

The negative repercussions of the dichotomous gender hierarchy anchored on the gender division of labour, however, was not questioned or challenged by Lanzona. Instead, she remained focused on the crucial participation of peasant women in the resistance,

*“The roles and responsibilities of women ultimately transformed the Huk movement and challenged conventional understandings of femininity and masculinity. By joining the Huks these women became part of a revolutionary, nationalist movement. They left the “traditional” home but redefined it to include their extended relations in the guerrilla camps, a liberating experience for Filipino, and especially for peasant*



*women...their experiences also transformed the Hukbalahap...conceived as an army of men, it became a guerrilla movement that created new space for women.” (Ibid, 73).*

The ‘transformation’ of women that Lanzona refers to pertains only to women’s participation in the movement and not to the devaluation of women’s reproductive roles in contrast to men’s combat role, which was deemed superior. This suggests, therefore, that women’s participation in the resistance is still considered as inferior and invisible, even though they showed their ability to perform both productive/reproductive or private/public roles. The Filipinos’ liberation from the Japanese occupation, therefore, did not necessarily transform and liberate women from the patriarchal system, because women are still viewed and expected to be subordinate to men.

The historical invisibility of women in the liberation and land reform movement likely influenced women’s invisibility in the evolution and enforcement of land reform policy. The devaluation of women’s reproductive work is unfair because it is an equally important determinant of the movement’s success or failure. There will not be able-bodied soldiers without women feeding, caring for and nurturing them. Second, although women performed various roles and were clearly not confined to reproductive roles in the Huk movement, they were still treated as inferior because they were not acknowledged in combat duty. The men retained their superior position even though they did not demonstrate the flexibility of taking reproductive roles too. Lastly, women were not considered as combatants, as a policy of the movement. However, at present, when women are given the opportunity to join, for instance, the Philippine army, they excel and even top their class<sup>83</sup>. This suggests that given the opportunity, women can be equally skilled combatants with men and may even outshine the latter.

The gendered history of the early national liberation movement, therefore, demonstrated that political roles were considered based on dominant gender norms – wherein men are deemed as superior and considered as leaders and combatants, while women are considered inferior on the basis of their reproductive work, despite their simultaneous performance of productive roles. Thus, women’s active roles in a patriarchal movement like Hukbalahap did not obliterate the problematic ideology that women are inferior. It is, thus,

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<sup>83</sup> See for example, <<https://news.abs-cbn.com/news/03/12/17/pma-valedictorian-aim-for-excellence-despite-imperfections> and <https://news.abs-cbn.com/focus/03/07/17/how-a-woman-overcame-poverty-to-finish-top-8-in-pma>> Accessed on 16 May 2019.

crucial to know the women's status and the challenges they faced after the Hukbalahap period.

*What are the changes in the experience of peasant women in the 80s and 90s?*

Ligaya Lindio-McGovern's (1997) *Filipino Peasant Women, Exploitation and Resistance*, highlighted the peasant women's resistance during the militarization post-Marcos period in the 80s and 90s, the early period of CARP. She explained the rise of peasant women's leadership, highlighting the everyday lives of Filipino peasant women in the context of the country's (under)development and militarization, emphasizing women's agency against the assumption of 'victimization' of third world women (1997:8-9). She challenged the assumption that the integration of women in development will eliminate poverty by demonstrating the exploitative nature of the country's political economy which kept the Filipino women in agriculture poor despite being part of production. Specifically, their impoverishment is exacerbated by land ownership controlled by few, agricultural production controlled by landlords and a transnational capitalist system grounded on gendered hierarchies and maintained through military repression (Ibid, 183-184).

KAMMI's experience, a provincial federation of peasant women organizations in Mindoro and an affiliate of AMIHAN, a national organization of peasant women, demonstrated how the existing power structure exploited and repressed them. This experience, brought about their landlessness and perpetuated unequal gender relations (Ibid, 46). Women were delegated in the informal credit system or usury, and were unrecognized and excluded from the land title, which is often named after the husband as head of the family (Ibid, 48-50). The exploitation of peasant women was also reinforced by the state's repression of peoples' initiatives and resistance, arresting, torturing, jailing, or executing men, husbands, fathers, or brothers (Ibid, 66-67 and McGovern, 2003:5-6). Many peasant families were separated, as husbands or both husband and wife fled or forced the whole family to evacuate from their villages to avoid harassment, bombings, and military operations. Such violence cost them their farm work, harvests, and meagre properties, and exposed them to disease and hunger, hence impoverishing them further (Ibid, 71-75 and 7-9). They were also prevented from organizing, launching public actions, engaging with cooperatives, and managing warehouses and rice mills (Ibid, 75-77 and 8-9). However, the peasant women were not stopped from putting up their own organization, KAMMI, which is independent from the mixed organization of KMP. This was primarily established to avoid militarization directed towards men, the leaders of KMP. KAMMI expanded its membership to non-KMP members and focused on socio-economic cooperatives rather than public protests as a strategy to continue the

organization and avoid military violence in the province and throughout the country (Ibid, 75-81).

McGovern pointed out that both farm and home are central to peasant women's lives, therefore, the assumed dichotomous gender division of labour does not apply to them (Ibid, 186). The peasant women's reproductive role maintains and reproduces the landless production system through the maintenance and reproduction of labor, both active or reserve and retired laborers, that sustain a capitalist economy (Ibid, 187 and 2003:53). This analysis resonates with Mies' (2007) analysis on the devaluation of reproductive workers or housewives. Although they reproduce the working class on a daily or generational basis, they do not generate any form of exchange, commodities, or financial value. However, this free, unpaid, and invisible labour is the foundation of capitalism. Therefore, the valuation and organization of productive and reproductive work is part of capitalism's organization to sustain accumulation (2007:269, see also Mies, 1986). Moreover, the equation of peasants to men invisibilizes women's contribution to production, and when women's farm work is paid, they are nevertheless still considered secondary to male farm workers (McGovern, 1997:184-185). This suggests the continuum of women's invisibility that Lanzona has pointed out in the 40s and 50s. Unlike Lanzona, however, McGovern emphasized women's productive work and the reproductive work that remains expected of women and is central to their role. Therefore, peasant women's daily lives are embedded in the interlocking and exploitative local and international political economic power structures, which are deeply rooted in colonial history and linked to neo-colonialism that ultimately resulted in women's impoverishment and inspired their organized resistance.

It can be observed, however, that McGovern's argument is directed to the capitalist system and not necessarily to the patriarchal system. Hence, she did not further interrogate, for instance, the relation between peasant men and women's productive and reproductive roles vis-à-vis land rights. It is also odd that McGovern did not mention the split within the Communist Party of the Philippines/National Democratic Front (CPP/NDF) (also known as ND movement), that occurred not long ago when she conducted her research in 1997. The split, however, is hard to ignore as it also brought about the split within its member organizations (including those of women), which in turn influenced the progress of women's and social movement and the advancement of agrarian reform and gender equality in the country.

For instance, as Hilhorst (2008) pointed out, the split within the national democratic group, had caused GABRIELA, the national women's organization with which AMIHAN is affiliated, to go 'back to basics', to rectify

specific errors, such as GABRIELA's adoption of a socialist-feminist framework to prioritize class-based and anti-imperialist struggles. (2008:212). The work of the Cordillera-based NGO, the CWNGO (also a member of GABRIELA), for instance, was "largely deemed an error, and the socialist-feminist approach was abandoned as a 'disorientation' because it implied that class and gender oppression were equally important." (Ibid). This means that gender concerns are deemed secondary to class struggles.

Furthermore, the split within the peasant organization KMP, gave birth to dKMP, (the d stands for democratic) down to the provinces like Mindoro, McGovern's case study site. The late Ka Simon Sagnip, the Chairman of then KMP Mindoro chose to dissociate himself from KMP and decided to seize the political opportunity during the post-Marcos era and chose to critically engage the government including the implementation of programs like CARP. This is in stark contrast to the ND movement's rejection of the program. The split within the ND movement, therefore, had serious implication in the advancement of agrarian and gender advocacy and is further discussed in the following sections.

Having ignored this important turn of events, however, McGovern missed, at the very least, KAMMI's struggles beyond what she pointed out as the social reproduction of exploitation brought about by the capitalist system. It can be interpreted then that the author herself, like the ND movement, prioritized class-based and anti-imperialist struggles over equally important issues such as gender equality. Thus, this serves to maintain the invisibility of unequal power relations between peasant men and women and consequently conceals gender-based inequality such as in land rights.

In sum, this section has shown that women had crucial roles and sometimes even leading positions in the peasant movement. However, they were not necessarily given equal recognition. The invisibility of women's contribution in the movement is a continuum manifested by their peers and even women's inferior treatment of their reproductive roles and unaccounted productive roles in the movement in the 1940s and even up to the 1990s. A historical discussion of the evolution of patriarchy in the social movements, which is provided in the next subsection, may help explain and provide clearer understanding on the rise of the women's movement in the country, especially from the 70s.

### **5.3 Philippine women's movement and the struggle against patriarchy**

As discussed above, women's activism, albeit tempered and historically unaccounted for, had historically existed and had been crucial in Philippine

independence and agrarian transformation. In the 70s, when the women's movement commenced, women's agency and interests were emphasized and advanced. Before discussing the birth of the women's movement, I briefly discuss the development of patriarchy because of colonial influences and post-colonial norms that inspired the feminist thought and women's movement in the country and elsewhere.

### 5.3.1 *Colonial legacies and development of patriarchy and post-colonial norms and practices*

Studies claimed (for example, Rodriguez 1990, Hega et al. 2017, Mananzan 1987) that during pre-Spanish colonization, Filipino women were accorded with high status and given decision-making power both at home and the community, as well as equal access to productive resources and equal inheritance rights over communal property, rights in education, divorce, and leadership roles in the political and religious fields. There was no centralized system of means of production, only self-sufficient production, and consumption for subsistence was in place. Hence, there were no relations of dependence nor exploitation (Rodriguez 1990:38-39, citing Mananzan 1987). The babaylan represented the traditional role of women who worked with (and were not at all inferior to) the *datu*, the head of a *balangay*, a kinship-based-organized settlement. Babaylan were priestesses or cultural figures and were also doctors or healers. Hence, they not only carried out crucial roles but were also acknowledged for their social and cultural leadership (Hega et.al 2017:1, citing Salazar 1994).

Spanish colonization, however, destroyed babaylan's standing. As the Spanish indoctrinated the islands with Christianity, the babaylans were demonized and their practices were declared to be black magic. The friars restricted women's religious and spiritual practices and enforced their own standards of morality, including those related to sexuality thus permeating locals' lives (Ibid). The communal lands were also privatized, depreciating women's social status in relation to men. This was further institutionalized by the local economy that progressively depended on a world capitalist market (Rodriguez 1990:19). The self-sufficient Filipino households were gradually transformed into landless peasants, and workers and families dependent on wages through land grabbing, usury, and private land ownership. This led to class divisions and the sexual division of labour, resulting to the subordination of women at home and in public workplaces (Ibid).

Aguilar (1989) asserted that the unequal sexual division of labour was not systematically scrutinized by scholars who tend to assert the 'illusion' of Filipino women's 'dominance' or 'equal status' with men, inevitably obscuring the power structures and subordination of women within both the household

and the public sphere (1989:533-547). In the public sphere, “the public visibility of a few individual women of influence has helped preserve the idea of dominance...” (Ibid, 534), but was debunked by the lack of space for women in local and national government, business and professions and education (Ibid, 535-536). In the domestic sphere, the inequality between men and women was demonstrated by the inequitable share of work within the households and stereotypical gender roles and expectations. The wife’s function as purse holder or treasurer, however, gives the illusion of women having power. However, this is unlikely because of poverty and the meagre resources that most households possess (Ibid, 540-541). Oftentimes, “the husband holds the right to override the wife’s decision at all levels, affecting a relationship that is nowhere near equality.” (Ibid, 543).

In Rodriguez (1990) analysis, the subordinate position of Filipino women is a result of the merging of patriarchal and capitalists’ interests which are manifested in the control over women’s sexuality and women’s labour and the rule of patriarchal ideology. Filipino women’s subordination is exacerbated by the institutionalization of private property ownership, monogamous marriage, and chastity (Ibid:19). Women became subordinate and men became the primary authority at home. This is because their gender-related decisions and actions were highly influenced by the Catholic church’s strong opposition to contraceptives and abortion that led women to multiple pregnancies and childbirths, and made women vulnerable to sexual objectification and to prostitution, becoming mail-order brides and entertainers abroad (Ibid:19-22). The increase in women’s participation in the labour force, therefore, did not equate to them having equal opportunities, privileges, and benefits with men (Ibid: 23).

Patriarchy has been ingrained in the consciousness of Filipino men and women through both capitalism and Christianity, which propagated the myth of Eve as being created from Adam’s rib, to legitimize women’s subordination to men. The ideology and stereotypical roles and traits according to the masculine/feminine dichotomy is imparted at home, reinforced by religion, at school, and by the mass media, and reflected and sanctioned in formal laws and policies (Ibid). This is also echoed in social movements’ ideologies and practices. The persistence of patriarchy and the development of feminist thought therefore inspired the foundation of the Philippine women’s movement.

### **5.3.2 *The birth of the women’s movement and socialist feminism***

As earlier discussed, women actively engaged in the struggles against colonialism. There was also an initiative, led mostly by elite women, in 1907, that brought forth women’s association which demanded women’s suffrage. It



was after three decades, specifically in 1935, that their demand was heeded by the government through Act No. 2711. From then on, associations of women called for recognition of their voices, but these did not really make a significant impact against the exploitation of women in a society dominated by men (Santos, 2004:30-33). The martial rule in the 70s inspired the Philippine women's movement that led to the formation of MAKIBAKA or Malayang Kilusan ng Bagong Kababaihan (Movement for Freedom by Progressive Women). It aimed to integrate women's concerns in the broader social movement, linking class oppression and gender inequality, "...a battle that has to be fought in the arena of the male-dominated nationalist movement." (Sobritchea, 2004:103-104, see also Santos 2004). However, the initiative was considered divisive and was seriously attacked within the bigger movement. Women were mobilized to fight class structures with the view that women's true liberation is only possible after a revolutionary victory, in line with Marxist perspective, where class is the central rallying point and all other concerns, such as gender, were secondary (Ibid; see also Hillhorst, 1998 and Estrada-Claudio and Santos, 2005). Mies (2007) also pointed this out in her study on the women lace makers in India. The declaration of martial law pressed MAKIBAKA to go underground but its brief existence became a model for the subsequent Philippine women's liberation initiatives (Raquiza 1997:174). In 1975, the Katipunan ng Bagong Pilipina or KABAPA, associated with the old communist party or PKP, was established, while the ND movement established the Center for Women's Studies and Women's Center for Women Trade Unionists, the peasant women organization AMIHAN, the urban poor SAMAKANA, the workers KMK, the professionals WOMB and students and youth's SAMAKA (Ibid). As Pat<sup>84</sup> recalls,

*The persistence of sexism and machismo in the nationalist movement inspired the women leaders to explore feminism that eventually increased the movement's sensitivity to sexism and led to a demand for autonomous women's organizations. (Interview 2013).*

The Kilusan ng Kababaihang Pilipina (PILIPINA) or Philippine Women's Movement and the Katipunan ng Kababaihan para sa Kalayaan (KALAYAAN) or Organization of Women for Freedom were established in 1981 and 1983 respectively (Sobritchea, 2004: 104; for more elaborate

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<sup>84</sup> Patricia Gonzales or Pat is one of the founders and the President of Kasarian Kalayaan or SARILAYA, a socialist-feminist organization founded after the CPP/NDF split (to which I also belong and where my feminist ideals were strengthened), during its early formative years. She was part of the CPP/NDF that fought against martial law. She is also one of the founders and an adviser of the PKKK and an active cooperative officer in her hometown in Malolos, Bulacan.



discussion on the two organizations, see also Estrada-Claudio and Santos, 2005). Both have addressed women-specific issues like sexism in the media, violation of reproductive rights, sexual violence and prostitution, and they mobilized and raised consciousness on women's issues by popularizing the 'women's question' introduced by Sr. Mary John Mananzan (1987:52), to examine women's experiences and scrutinize sources of gender inequality within the context of class issues (Ibid; and Sobritchea 2005:70).

In 1984, a coalition of women's organizations against Marcos' dictatorship, GABRIELA or General Assembly Binding Women for Reform, Integrity, Leadership, and Action, was founded, uniting both liberal and left-leaning women (Raquiza, 1997:176). In 1986, however, GABRIELA split up into the ND movement that opted to boycott the election and those who called for 'critical participation' (Ibid). The organization declined from 41 member organizations to basic sectoral organizations mostly from the ND group because of management issues and 'its utilitarian politics' (Estrada-Claudio and Santos, 2005:5). By utilitarian, they meant sticking to the old ND perspective, "Gabriela, as a case in point has repeatedly rejected socialist feminist analysis and has maintained the position that class oppression remains the primary enemy of the people even as it has taken on feminist issues like violence against women." (Ibid, 6). The view on gender as secondary to class became a point of tension amongst feminists, with Gabriela's strong view that gender inequalities and hierarchies are always secondary to larger national issues such as agrarian reform, poverty, and imperialism (Sobritchea, 2005:71). In other words, the feminists' movement was divided between those who take the primacy of class struggles over gender on one hand, and those who take both class and gender as being of equal priority (the socialist feminists), on the other.

Some socialist feminists directed their efforts to leadership of community programs and services and the integration or mainstreaming of feminist issues within social movements, bureaucracy, and the academe through the establishment of women's studies program. They established autonomous organizations like the Democratic Socialist Women of the Philippines founded in 1987, with a slogan, "There is no true socialism without feminism, there is no true feminism without socialism." (Estrada-Claudio and Santos 2005:6). In 1994, SARILAYA<sup>85</sup>, pioneered by the women who broke away from the ND movement, was also established (Ibid).

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<sup>85</sup> SARILAYA or Kasarian-Kalayaan, as mentioned above, is founded within a socialist-feminists orientation, which commits to women empowerment and gender

In other words, the split within the ND movement and feminists' post-authoritarian regime paved the way for the establishment of autonomous women's organizations. The demand for women's liberation from both class and gender oppression grew and became more diverse. The proliferation of women's groups in the late 80s and 90s, mostly independent from social blocs and movements, took issue-based or sectoral-based concerns with an emphasis on feminist issues such as sexual violence/rape, reproductive rights, sexuality, and legislative reforms for women that were usually at the periphery of broad national movement concerns (Ibid:5).

Advancing the mainstreaming of feminist analysis within political blocs in the late 1990s, however, remained a challenge for the women's movement,

*"Yet even with the recognition...that the reproductive sphere is just as important as the productive sphere in determining social conditions, much is yet to be done. Class remains the most dominant discourse and women's issues are still generally considered "soft" issues." (Ibid).*

The class question remains a primary concern and women's issues as secondary. Even among feminists, the political divide between class over gender, on one hand, and class plus gender, or socialist feminist, on the other, persists. The organizations identified and affiliated with the ND movement worked within the framework of armed struggle and socialist revolution, while the socialist feminists had critically engaged the state. However, this divide did not prevent the women's movement from having common positions on specific women's issues (Sobritchea 2004:105). The common stance on women's issues such as rape and violence have resulted in legislative reforms, such as the Anti-Rape law and Anti-Violence Against Women and Children Act that were legislated through the work of SIBOL<sup>86</sup> (Ibid, see also Estrada-Claudio and Santos 2005:5).

In sum, the end of the authoritarian regime and the persistence of patriarchy in the country and within social movements, further inspired feminists and the women's movement to advance women's interests. While there is a divide between the feminists and the women's movement, their similar positions have resulted in legislative reforms and policy changes. The socialist

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equality. Currently, it has 500 members from different parts of the country. To follow, check them on <https://www.facebook.com/Sarilayainc/>

<sup>86</sup> Sama-samang Inisyatiba ng Batas at Lipunan or SIBOL was a crucial coalition that advocated legal reforms and was instrumental in the drafting and passage of anti-rape and anti-violence against women and their children laws with the help of women's groups and civil society organizations outside the coalition (Estrada-Claudio and Santos, 2005:6).

feminists who chose to advance both class and gender concerns and critically engage the state (seizing the political opportunity provided by the democratic space post-Marcos dictatorship), inspired the birth of various issue-based and sectoral organizations to simultaneously advance people's agenda and women's interests. In early 2000s, rural feminists organized the rural women's movement to advance rural women's interests, including land re-form.

## **5.4 The rise of rural women's movement: women's land rights and CARP**

Inspired by the growing advocacy for rural women in this period, rural women feminists led the formation of a coalition of rural NGOs and POs, giving birth to Pambansang Kilusan ng Kababaihan sa Kanayunan (PKKK) or National Rural Congress in 2003. The question then is how this movement put forward rural women's interests and agenda, specifically women's land rights, within the peasant or agrarian (social) movements (which are traditionally focused on class concerns) and within the women's movement (which traditionally prioritize general issues faced by women). This section, therefore, discusses the coalition's agenda, initiatives, strategies, and the challenges they faced, and explains how the advancement of land reform and women's land rights was impacted by the split within the ND movement.

### ***5.4.1 To seize or not to seize the opportunity: the CARP critical engagement***

The division within the women's movement and among the feminists is not isolated from the division in the broader ND movement brought about by the restoration of formal democracy after the fall of Marcos' dictatorship. Filipinos had high hopes and expectations that the government would implement policies (such as a more effective land reform) that would correct historical injustices in the post-Marcos era. To their dismay, the Mendiola massacre took place on 19 January 1987, taking the lives of 19 Kilusang Magbubukid ng Pilipinas' (KMP) members and supporters, that consequently gave birth to the Congress for People's Agrarian Reform or CPAR<sup>87</sup> on 29

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<sup>87</sup> In May 1987, over 90 peasant groups, cause-oriented organizations, formed CPAR and united to create an alternative people's agrarian reform, known as PARCODE, which was eventually presented to Malacanang. This includes all agricultural lands regardless of crop, existing tenurial arrangements and farm size; all arable public lands; all idle and abandoned, foreclosed, sequestered, church-owned lands, as well as plantations and haciendas; and all inland, coastal and offshore water resources. It

May 1987. Dissatisfied with the land reform proposal by the government, CPAR formulated the ‘peoples’ alternative on agrarian reform, coined as People’s Agrarian Reform Code or PARCODE. The proposal, however, has failed to become an official law (IBON 1988:80). In 1987, the comprehensive agrarian reform law (CARL) was legislated, followed by the institutionalization of the comprehensive land reform program (CARP) in 1988.

This development, however, was not taken positively especially within the ND movement or CPP-NPA/NDF. The tension over whether to engage the Aquino administration or remain in the revolutionary struggle eventually led to the split within the ND movement. Those who worked with marginalized groups, particularly with peasant organizations, unions, and NGOs, strongly criticized the party (see for example Rocamora 1993, and Putzel 1995). The ND movement was divided into ‘Reaffirmist’ and ‘Rejectionist’ factions. The ‘Reaffirmists’ chose to ‘rectify the error’ (see Hillhorst 2001 and 1998; see also Rutten 2008, Borras 2004, amongst others), and the ‘Rejectionists’ chose to engage the state to advance reforms including land reform and to contribute to the resolution of both class and gender concerns (see Sobritchea 2004 and 2005).

According to Borras (2004), the faction had created strong hostility between groups including the peasants. The Kilusang Magbubukid ng Pilipinas (KMP) or the National Peasant Movement shifted from political ‘agit-prop’ (agitation-propaganda) campaigns (without concrete and immediate socio-economic objectives) towards the call for concrete, palpable gains for the peasants (such as access to land, irrigation, and infrastructure through state engagement). This was criticized and blocked by the party leaders (Borras, 2004: 228). It was viewed as a contradiction to the ND policy to “expose and oppose” the “rotten” regime; hence engagement with the state is considered and coined as “reformism” and “state co-optation” (Ibid). Hence, the Marxist-Leninist-Maoist line was re-established by the CPP Chairman Jose Ma. Sison (in exile in the Netherlands) through his document “*Reaffirm Our Basic Principles and Rectify the Errors*” (Rutten, 2008:14). The party break-up between “Reaffirmists” (RAs) or those who agree with Sison and the “Rejectionists”

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pressed retention based on owner-cultivation and compensation based on farm size and mode of acquisition. Further, it recommended that all previous rental payments and uncompensated labour provided by reform beneficiaries be considered as advance payments for the mortgage. Also, it puts forward peoples’ agrarian reform council to enforce the peoples’ will and uphold a ‘preferential option’ for cooperatives and collective farms. The group’s program also includes support services such as infrastructure, credit, marketing, price support, training and education and ecologically sound, appropriate technology (IBON, 1988:80).

(RJs) or those who rejected Sison's views, eventually led to the split of the party into more groups "which produced diverse networks consisting of legal mass movements and legal political parties, with or without underground parties and guerrilla armies" (Ibid).

The split has led to "a new wave of formal and informal coalition-building initiatives among ideologically and politically diverse rural social movements outside the orthodox ND movement" (Borras Jr and Franco 2005:266). Several reform-minded activists gained important posts in the state bureaucracy and the political opportunities for progressive reformist groups had expanded and opened the possibility for "pro-reform state-society interaction" (Ibid). The pro-agrarian groups, such as the KMP faction named as Demokratikong Kilusang Magbubukid ng Pilipinas (dKMP), chose to seize the opportunity and engage with the government to implement the CARP. In 2000, the group was re-organized which formed UNORKA. However, UNORKA members and organizers alike suffered threats, harassment, and violence from the CPP armed group, the New People's Army (NPA) in several land reform areas. (see, for example, Franco and Carranza 2014). The New Peoples' Army even openly claimed perpetuation of peasant leaders' killings, allegedly, for example, the case of Bito Yusi of SAMFAI (see Bejeno, 2010).

In effect, the split within the ND movement did not end with just the ideological division between RAs and RJs. The RJs were subjected to the RAs violence with the RAs threatening and even killing RJ leaders whom they tagged as traitors of the movement. The faction also led to many conflicts and violence in many land reform areas and in agrarian campaigns such as the CARP extension in 2008. Ironically, not long after the split and shortly after the party list system was instituted, the RAs and its groups participated in formal governance and ran for government posts even more actively than the RJs. Their active endorsement of traditional political candidates both at the national and local levels is also widely known. During the 2016 elections, the group closely worked with the present-elect President Rodrigo Duterte. For a short period, several of their leaders were assigned in important government posts including the DAR that was assigned to the former KMP President, Rafael Mariano, although this was short-lived. Not long afterwards, the Duterte administration declared the group as an enemy.

In sum, the split within the ND movement shows how CARP has become more politicized, as triggered by the emergence of factions within the ND movement that in effect impeded the advancement of land reform. The split also infected the women's movement, with GABRIELA and the peasant women's movement, AMIHAN, choosing to 'rectify the error'

and prioritize class struggle over gender concerns on, one hand, and socialists-feminists choosing to engage the state to advance both class and gender concerns (including women's land rights), on the other.

#### ***5.4.2 Rural women's movement and the land reform agenda***

In the 80s, the call for women's land rights led by peasant women's organizations (such as the KABAPA<sup>88</sup> (Association of the New Filipina) and AMIHAN<sup>89</sup> (Harvest Wind)), was obstructed by the misinterpretation of 'qualified women' beneficiaries to 'actual tillers' (Illo and Pineda-Ofreneo, 1995:114). This was also reinforced by the belief that farmers are men and that women lack participation in decision-making. The obstacles, therefore, are not only the state and its functionaries but also the deeply rooted gender relations within the family - the husband's resistance and monopoly over decision-making and sometimes even violent assertion of male power through wife beating. Hence, the peasant women have to equally deal with the landowners and the state and also with the peasant men who refuse to recognize their rights (Ibid, 114-116).

In other words, the peasant women's assertion of land rights can be directed not only towards the state (as the enforcer of the land reform program) and towards the landowners (as opposers of land redistribution), but even more so towards men (e.g. husbands or partners or agrarian implementers) who tend to resist the recognition of women's equal land rights.

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<sup>88</sup> KABAPA emerged from the peasant movement in Central Luzon, founded by 2000 grassroots women in 1975 and reorganized its membership into specific sectors including the Association of Peasant Women which advocates for land rights. Its achievements are in the field of education and training, community-based services and projects and networking nationally and internationally. Its president Trinidad Domingo served as the NCRFW commissioner and headed the national peasant women council (see Illo and Pineda, 1995). She was later elected as the first president of the PKKK.

<sup>89</sup> AMIHAN, established in 1986, called for genuine land reform and nationalist industrialization and demanded for specific peasant women land rights in land redistribution, especially for widows and single mothers. It also called for just wages for agricultural workers, protection from sexual harassment and extension of maternity benefits and day care services (see Illo and Pineda, 1995)



Recently, the confusion on the qualification of women for land entitlement was already cleared in CARPER<sup>90</sup>. As pointed out in the earlier chapters, women's land rights are already guaranteed in and explicitly provided for by laws and policies. In practical terms, however, large majority of land reform beneficiaries are still men. In many occasions, women farmers are excluded because their husbands are already identified as agrarian beneficiaries (Leyesa, 2006:6). This therefore raises the question, how have women's land rights been articulated within the social and women's movement in the current conjuncture?

It can be recalled from earlier discussions that AMIHAN, as a member of GABRIELA, chose to prioritize class struggles, and therefore cannot be expected to advance women's land rights under the current land reform initiative as they also regard CARP as 'bogus' or fake. This study therefore focuses on organizations and initiatives that advance land reform through the current program, and the women's movement that advances both gender and class concerns. For these groups, the Pam-bansang Kongreso ng Kababaihan sa Kanayunan (PKKK) or Rural Women's Congress (RWC) is crucial to strengthen the advocacy for rural women's rights. Around this period too, the need to strengthen peasant women's organizations and organize women within mixed organizations, was also crucial, leading to the formation of Kababaihan Pilipinas (KP) or Women Philippines in 2007. The formation of these organizations was also inspired by the gender learning group, supported by the Inter-church Organization for Development Cooperation or ICCO (a Dutch development NGO), initiated by its partners,

*The formation of PKKK was initiated by the ICCO partners' gender learning group supported by ICCO. They were composed of gender officers, point persons and women committees from rural development NGO's and PO's and individuals from the academe and the women's movement. (Interview with Pat, 2013).*

## Box 2

### National Rural Women Agenda, 2003-10 Vision

1. Fulfillment of Rural Women's Property Rights in Agrarian Reform
2. Fulfillment of Rural Women's Property Rights in Ancestral Domains
3. Fulfillment of Rural Women's Property Rights to Coastal Resources
4. Access to Safe and Adequate Food, Potable Water, and Basic Services
5. Access to Sustainable and Women-Friendly Agriculture and Fishery Support Services
6. Representation and Participation in the Implementation of Gender and Development (GAD) Programs and Local Sectoral Representation (LSR)
7. Fulfillment of Reproductive Rights and Protection from all forms of Violence and other oppressive gender relations
8. Fulfillment of Rural Women's Peace Agenda, especially in Mindanao.

Source: Leyesa (2008)

<sup>90</sup> Section 1. Declaration of Principles and Policies. "The State shall recognize and enforce, consistent with existing laws, the rights of rural women to own and control land, taking into consideration the substantive equality between men and women as qualified beneficiaries, to receive a just share of the fruits thereof, and to be represented in an advisory or appropriate decision-making bodies. These rights shall be independent of their male relatives and of their civil status."



One of these organizations was PEACE Foundation, which I represented as its gender program coordinator at the time. Hence, my discussion here, as earlier mentioned, also includes my own recollection, apart from the interviews and reports/documents, personal communication with relevant informants, and website information.

*Pambansang Kongreso ng Kababaihan sa Kanayunan (PKKK) and Kababaihan Pilipinas (KP)*

PKKK is “a coalition of organizations and federations of associations of women peasants, fishers, farm workers, and indigenous people, including rural women in the sectors of informal labor, elderly, youth, and persons with disabilities, and of NGOs and individuals who work for the interest of the above sectors.” (Leyesa, 2006:5). The Coalition is united on the bases of these agenda, to advance rural women’s rights (see Box 2). Its agenda is not only political, but also economic. Specifically, it not only aims for rural women to be represented, and not only does it demand public accountability that affects rural women, but it also confronts the neo-liberal direction of the government and its outright neglect of sustainable and equitable rural development (Ibid). The PKKK’s agenda covers most of the marginalized sectors in the rural area - the peasants, fisherfolk, indigenous groups, and various issues and concerns such as land reform, ancestral domains rights for indigenous groups, property rights for fisherfolk and cross-cutting issues including sustainable agriculture, reproductive rights, amongst others. The nature of their agenda reflects the socialist-feminist perspective in which both class and gender interests were considered equally important and interdependent. This study, however, will only tackle the issue of the peasant women on land rights through CARP, and will not cover other important issues such as the welfare of indigenous groups (but I acknowledge its importance and this could be addressed by future studies).

Since its first Rural Women’s Congress<sup>91</sup>, PKKK strived to bring to the attention of government agencies the need for gender-responsive policymaking that (1) ensures political space for rural women to air their concerns and (2) demands the democratization of access to economic resources (land, natural resources, national/local budgets) to benefit the rural economy and women. It envisioned vibrant provincial coalitions and a strong

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<sup>91</sup> The first Rural Women Congress, held in 2003, brought together People’s Organizations (PO’s) and Non-government Organizations (NGO’s) from different sectors that have rural concerns (see also Leyesa, 2008). In PKKK’s 5<sup>th</sup> Congress in 2011, there were 426 organizations which formed its baseline membership (PKKK evaluation, 2015:1).

structure at the national level that could eliminate gender inequality across class, ethnicity and other sectoral concerns through the transformation of community institutions, rules (laws and policies), and behaviour/practice (traditions, interactions, culture). This transformation necessitates allocating economic resources or redistributing assets such as land to the landless rural women (Ibid, 5-7).

Amongst the PKKK members<sup>92</sup> from the peasant groups, there are peasant women's organizations (such as KABAPA, Daluyong<sup>93</sup> and SARILAYA) and peasant women organizations (for example, KP of UNORKA) and women leaders (such as of PKSK<sup>94</sup>, Paragos<sup>95</sup>, KAMMPIL<sup>96</sup>, and Makabayan<sup>97</sup>) who originated or came from mixed peasant organizations. UNORKA's women members decided to organize themselves into a federation, the Kababaihan-Pilipinas (KP)<sup>98</sup> in 2007. They are composed of

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<sup>92</sup> PKKK members are a combination of 426 women's organizations, non-government organizations of mixed memberships and 377 pool of experts, academicians, and leaders from different organizations (PKKK Evaluation 2015:1). For the list of founding members, see PKKK Evaluation, 2009. For latest and more information visit [www.pkkk.org](http://www.pkkk.org)

<sup>93</sup> DALUYONG or Daluyan at Ugnayan ng Organisasyong Pangkababaihan is an all women federation organized in 2001, with the assistance of Philippine Rural Reconstruction Movement, represented in PKKK by Rebecca Miranda.

<sup>94</sup> PKSK or Pambansang Kilusan ng mga Samahan sa Kanayunan (National Federation of Organizations in the Countryside) is a people's organization with mixed membership closely associated with the Citizens Action Party or Akbayan. It is formerly represented in PKKK by Ka Iska and currently by Flor Limueco (see [www.pkkk.org](http://www.pkkk.org)).

<sup>95</sup> Paragos-Pilipinas is a peasant men and women organization headed by Ka Jimmy Tadeo, former president of national peasant movement KMP, until its split as earlier discussed. The organization is represented in PKKK by its women coordinator, Ka Elvira Baladad.

<sup>96</sup> KAMMPIL or Katipunan ng mga Maliliit na Magniniyog sa Pilipinas (Federation of Small Coconut Farmers and Farmworkers of the Philippines) is a mixed men and women small-scale coconut peasant organization, represented in PKKK by its woman leader, Isabelita Escovilla. To follow, see: <https://www.facebook.com/KAMMPILagriCoopOfficial/>

<sup>97</sup> Makabayan-Pilipinas is also a mixed people's organization with presence in various parts of the country, represented in PKKK by one of its original founders and organizers, Grace Laguitan.

<sup>98</sup> KP was organized through the gender program of PEACE Foundation, a non-government organization funded by ICCO since 2001 until 2009 (ICCO also funded

various organizations in 24 provinces nationwide (see Table 5) and were mostly already part of the land struggle (being members of UNORKA), actively engaging the DAR for the resolution of their land claims since Unoka's formation in 2000<sup>99</sup>. Some of them are already part of the land struggle even before CARP.

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PEACE during the Marcos period but ended post-CPP split in the early 90s). Several of them were also in UNORKA leadership (see Table 10 below).

<sup>99</sup> For more details on the founding of UNORKA, see for example, Borras (2007:232). UNORKA's lack of funds, however, resulted in its limited operation and campaigns at the national level and restricted its members' operations at their localities since 2009.

**Table 10:** List of KP officers and founding National Council (NC) members

Name/Position to KP	Name of Organization/Position		Province/Municipality	Remarks
	Mixed	Women		
National officers, 2013 onwards				
Arcei Eugenio - President	Samahan ng mga magbubukid ng Moncada - President	NC KP – Kababaihan Kabalikat sa Kinabukasan Moncada	Moncada, Tarlac	Unorka President 2010
Luzviminda Sagnip – Vice-President (Luzon)	Demokratikong Kilusan ng Magbubukid sa Pilipinas Mindoro - President	NC KP- Mabuhay-Kababaihan	San Jose, Mindoro Occidental	Unorka President – July – October 2004
Eva Alaán – Vice President (Visayas)	KMPCI – President	NC KP - Kalipi	Banate, Iloilo	
+Jenny Sultan – Vice President (Mindanao)	MARBAI	NC KP – MARBAI women	Compostela Valley	
Isabelita Escovilla – Secretary General	Kilusan ng maliliit na magninyog ng Quezon – Vice Chair	NC KP	Gultnang Quezon, Quezon 2	Unorka NC member
Eva Almonicar – Treasurer (Secretary-General 2010-2013)	SAMFAI – President (until 2008 as Vice-President)	NC KP - Babayi-Abante	Monreal, Masbate	Unorka NC member
Florence Empic - Auditor	Davao Oriental Farmers Association - President	NC KP	Davao Oriental	
Founding officers 2007-2009				
+Beatriz K. Santiago - President	-----	Kauban-Ka - President	Negros Oriental	
Eva Almonicar - Vice -President (Luzon)	SAMFAI -President	Babayi-Abante-President	Masbate	
+Monina Magsico -Vice-President (Visayas)	UMMA – Vice-President	NC KP - Women	Negros Occidental	Unorka President
Blenda Desierto – Vice-President (Mindanao)	-----	Paglingkawas Multi-purpose cooperative – President	Iligan	
Melinda Balbontin – Secretary General	Unorka Iloilo	Kaupod Ka	Iloilo	
Melanie Gatdula Salindong -Treasurer (Vangie Mendoza – President*)	NADAMANA	NC KP- Women Famers Organization	Laguna	
Maryjoy Dacu - Auditor	Misamis Oriental peasant organization	NC KP	Misamis Oriental	
Other founding National Council (NC) members				
Juanita Escalon	DRT Farmers Association - President	NC KP- ng Samahan ng Kababaihan sa Pangsidirang Kalawakan	DRT Bulacan	Unorka NC member
Merly Valdez	Lubong Pugaro MaambalFarmers Association – Secretary	NC KP	Pangasinan	
Jerma Dizon	Pampanga Farmers Association	NC KP	Pampanga	
Connie Garcia	-----	NC KP - Tuburan Women Association	Ligao, Albay	
Rhodora Cotoner/Liwayway Magaway*	ABB-SMS *President	NC KP	Cavite	Unorka NC member*
Racquel Camigla	Unorka Cam. Sur	NC KP- Camagong Women’s Association	Camarines Sur	
Luzviminda Sagnip	Demokratikong Kilusan ng Magbubukid sa Pilipinas Mindoro - President	NC KP- Mabuhay-Kababaihan	San Jose, Mindoro Occidental	
Melanie Caparas	Negros Oriental federation of farmers association - Treasurer	NC KP	Negros Occidental	
Lolita Tizon	Kammpil Aklan	NC KP	Aklan	
Alicia Dumangon	Farmers association in Sultan Kudarat	NC KP	Sultan Kudarat	
Nieves Binauro	Farmers association in Bukidnon	NC KP	Bukidnon	
Josefina Basan	Saci Agrarian Reform Beneficiaries Cooperative	NC KP	South Cotabato	
Nelly F. Logronio	Farmers association in North Cotabato	NC KP	North Cotabato	
Mercedes Bugtac	Davao Oriental farmers association – President	NC KP	Davao Oriental	
Rebecca Ruga	Kilusan ng Magbubukid ng Bondoc Peninsula - Treasurer	NC KP	Bondoc, Quezon 2	Unorka NC member

\*Vangie Mendoza was the founding Secretary-General of and took various leadership in UNORKA but she did not represent her local organization in KP but by the secretary. Sources: KP list of officers 2007 and 2013 and Unorka list of members 2006.

It will be noticed that there is a growing number of women leaders coming from mixed peasant organizations nationwide (see Table 10). These 29 women leaders are mostly the presidents or part of the leadership of their municipal or provincial peasant organizations. Most of these organizations were affiliated with UNORKA and eight of them were national leaders. Being leaders of their respective organizations also means that they lead or co-lead their organization's agrarian campaigns and activities and that they represent both at the local and national level campaign activities and engagements. It is important to note, however, that among the 41 UNORKA council members,

only nine of them were women. Nonetheless, these women were co-leaders at the national operations, and most notable among them was Vangie Mendoza<sup>100</sup> who strongly led UNORKA and its national campaigns (including DAR occupations<sup>101</sup> and barricades<sup>102</sup>, DAR secretaries' ouster<sup>103</sup>, amongst others) and critical agrarian engagements especially since UNORKA's founding in 2000.

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<sup>100</sup> Vangie Mendoza is a peasant woman leader and peasant organizer and was the founding Secretary-General of Unorka. She later served as its president and then treasurer, representing NADAMANA as its president. Since 2008/2009, however, she departed from UNORKA and focused in Southern Tagalog and led their organization called Pisante.

<sup>101</sup> For instance, on 8 June 2005, since the expected dialogue with DAR Secretary Rene Villa did not occur, UNORKA staged a silent protest and occupied his office. In response, the DAR did not allow any food and water nor media coverage for the 150 farmers. Later in the evening, the Special Weapons Action Team (SWAT) and police team of 400, "grabbed the farmers ... and brought them down by groups of 10 persons ... to the covered court of DAR. A woman farmer from Bicol, named Patricia Orozco, fainted and was immediately rushed to the East Ave Hospital ... Followed by another woman farmer from Laguna... who collapsed." Later, the farmers were detained in Camp Karingal and DAR filed a case against Vangie Mendoza (President), Enrico Cabanit (Secretary General), and Melanie Salindong (member) of UNORKA, and Manuel Quiambao, President of PEACE Foundation at Quezon City Prosecutor's Office on charges of violation of Article 153 of the Revised Penal Code or tumults and disturbances of public orders (UNORKA documentation 2005, pp. 6-8).

<sup>102</sup> One of them was the month-long (March to July 2005) camp-out and barricades at the DAR central office pressing for a resolution of more or less 200,000 hectares of land (or 768 land cases), including cases of [SAMFAI and KMPCI], Floirendo's in Davao, Alcantara in Sarangani, Lorenzo in Compostela Valley, Osmeña and Espina in Negros Oriental, Danding Cojuangco in Negros Occidental, Larrazabal in Leyte, Don Domingo Reyes, Matias and Uy families in Bondoc Peninsula - Quezon, Alsua in Albay, Triviño and Villafuerte in Camarines Sur, Albano in Isabela, Kho and Espinosa in Masbate, Ng family in Cavite, amongst others (UNORKA documentation 2005, p.4).

<sup>103</sup> As UNORKA put it, "Within five years of its existence, UNORKA together with support groups, was able to push for the unseating of three Secretaries (Braganza, 2003; Pagdanganan, 2004 and Villa, 2005), who turned out to be corrupt, inefficient, and anti-farmer." (UNORKA documentation 2005, p.1).

Specifically, Kababaihan-Pilipinas (KP) aims to be an independent federation of women leaders and women's organizations but takes part with the peasant movements' advancement of agrarian and rural development. To ensure their independence, KP formulated a separate set of visions, strategies, and programs distinct from those of mixed peasant organizations in each province and at the national level. It envisions a just and humane society where every farmer and citizen, man or woman, has equal access to and control over resources; free from any discrimination and violence; to be a successful entrepreneur and responsible citizen [...] a society that regards production and reproduction as equally important and of equal value. To achieve this vision, KP strives to unite, strengthen, and consolidate its organizational members - local and national; strengthen its advocacies that effectively push for agrarian reform, rural development and democratization and women's rights. Its mission is also to realize the following: equal access to and control over land/entitlement, water resources, food, and support services; active participation and representation in local governance; protection against violence against women and reproductive health (KP profile).

Unfortunately, due to the lack of funds<sup>104</sup>, the federation has operated locally rather than nationally from 2009 and dwindled more especially in 2012 due to lack of funds. During this period (and even a couple of years earlier), the Philippines is no longer a priority of many funding agencies. ICCO, for example, shifted its focus towards entrepreneurship or business engagements of its partners, "In the Philippines, the work of ICCO focuses mainly on responsible business and inclusive markets. We implement programs focusing on the (organic and sustainable) value chains of pili nuts, seaweed, muscovado sugar, organic rice, cacao, coffee, and coconut."<sup>105</sup> However, this shift was clear to the partners, and this was why enterprise development became part of the programs of PEACE<sup>106</sup>, but it unfortunately did not

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<sup>104</sup> Being a newly formed federation, KP was dependent back then on the gender program of PEACE Foundation funded by ICCO's support that ended in early 2009. Its operation declined since it was highly dependent on PEACE funding. Followed by the demise of PEACE President, the late Manuel Quiambao, in 2014, the PEACE operation, at the national level, had generally stopped since then. Some fund support obtained by KP from the Global Fund for Women, that helped some local leaders' operation has also ended in 2012. Furthermore, KP has no more volunteers, which I did as one of them earlier on (but this became too difficult for me since I am now far away from them), to assist them in writing reports, proposals and monitoring which could possibly help them raise funds, amongst others.

<sup>105</sup> See <https://www.icco-cooperation.org/en/countries/philippines>

<sup>106</sup> See also PEACE Profile (2009)

prosper. Furthermore, like PKKK, they also supported rural women's social enterprise programs before the end of its fund support to the organization in 2015 (Communication with Daryl and Ampy, June 2019). In effect, the lack of funds limited the federation and its members' continuous organizing work, education, and gender-consciousness-raising, as well as campaigns on agrarian issues and land redistribution. From then on, the possibilities to make more impact and operate more sustainably as a federation of peasant women were gone. This also means that the materialization of their vision and goals as a federation became more impossible. Despite these hurdles, KP members operated on their own in their localities however limited their capacities may be. Their efforts were consistent with some of their initial goals, as in the experience of SAMFAI and KMPCI, to be discussed in Chapter 6.

#### ***5.4.3 Rural women's movement's various initiatives and strategies***

The two organizations' national initiatives are often coordinated and launched with their member organizations and or representatives from the local level. In the case of the PKKK, the land reform and women's land rights agenda are advocated through its agrarian cluster<sup>107</sup> member organizations. Often, activities are undertaken together with the broader movement (i.e. the broader peasant movement, social movement, and women's movement). Launching a distinct peasant women's and/or rural women's campaign is yet to be achieved and remains a challenge.

The struggles and initiatives of these groups are often directed towards gaining recognition of peasants' and or rural women's rights and agenda both from the state, the social (peasant) movement, and the broader women's movement. The battle for the peasant (rural) women's agenda then is not only directed towards the state to ensure resource allocation and services for women (such as the implementation of land reform and women's land rights), but also directed towards the social (peasant) movement to advance the recognition of women's (rural women's) agenda. Also, it aims to ensure that the broader women's movement will promote the rural women's agenda such as land rights (which is often taken into consideration only when it is brought

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<sup>107</sup> Agrarian reform (AR) cluster is among the eight clusters within PKKK (see Box 2). Since the network concerns are very broad the Assembly decided to cluster member organizations based on issues/focus: agrarian reform, water, environment, reproductive rights and sexuality, peace, indigenous rights, and GAD funds.



up by the rural women leaders or activists). As Ka Trining<sup>108</sup> explained,

*Peasant women leaders must assert the rural women's agenda. Otherwise, it will not be taken up. It is difficult. The women are always left out without women asserting it. (Interview, 2013)*

The field of struggle for the rural feminists, such as advances in peasant women's rights, therefore, is multiple – with the state, with the broad women's movement, with the peasant and or social movement and even within each organization itself – given its context as a federation or coalition<sup>109</sup> respectively.

Ka Mary<sup>110</sup>, also emphasized,

*It is important that women continue to get united and persist on advocacy towards gender equality. The PKKK continues its advocacy and activities to advance women's rights.*

Hence, the women's movement have various initiatives and strategies including i.) policy advocacy and lobbying; ii.) national mobilization; iii.) governance participation; iv.) organizing, consolidation, and strengthening and; v.) active engagement with the broader movement both at the national and even international level. Policy advocacy and lobbying are done at different levels, often at the legislative and executive levels both nationally and locally. Recent results of these initiatives and strategies include the passage of the Magna Carta of Women (2008) and the explicit inclusion of women's rights in CARPER. As the PKKK External Evaluation in 2009 has affirmed:

*Overall, the impact of PKKK is clearly strong at national policy advocacy as shown by the brilliance of two major policies namely the Magna Carta for (Rural) Women and the CARPER as an extension of the agrarian reform program. The awareness among national legislators and selected executive agencies on these policy issues is brought to another level by the PKKK and its allied advocates. (2009:18)*

However, these are results of long and active campaigns and considerable determination. For example, it took at least seven years to lobby for the

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<sup>108</sup> Ka Trining is the President of KABAPA and the first-elect President of PKKK in 2003. In my interview with her, she also pointed out that the lack of funds of KABAPA had also prevented them from having an Assembly for decades already.

<sup>109</sup> This study will not tackle the internal dynamics or struggles within – between and among member organizations and even amongst individuals within, but this is an interesting angle that could be covered by future studies.

<sup>110</sup> Ka Mary delos Santos was the President of the PKKK during the interview in 2013.

passage of the Magna Carta for Women.<sup>111</sup> For the CARP extension, the provision on rural women, including women's equal land entitlement,<sup>112</sup> also took many years of discussion and lobbying at the DAR level and later at the Congress. The advocacy on land reform and gender at the House of Representatives was led by Rep. Risa Hontiveros, and late Rep. Oscar Francisco, amongst others.

Lobbying and advocacy required persistent dialogues and discourses, persuasions, and dissuasions, but also several persistent mobilizations. Some examples of national mobilization and action campaign for land reform implementation and the agrarian program's extension were the farmers' marches in 2008<sup>113</sup>, the hunger strike led by Bp. Pabillo in December 2008<sup>114</sup>, the marches in 2009<sup>115</sup>, the daily lobbying at the Congress and Senate, the picketing in front of the Congress, amongst others. These were carried out together with different local and national groups. Specifically, the mobilizations such as the marches from different provinces to Manila, however challenging, were endured by KP and their peasant colleagues from UNORKA, to raise public awareness about their plight and to showcase their determination to claim justice,

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<sup>111</sup> PKKK lobbied, many years back, for the passage of Magna Carta for Rural Women, but then in the process, it became comprehensive and was passed as the Magna Carta of Women 2009. It could be noticed that among the issues detailed in the law, the rural women's agenda are extensively discussed and responded to. See Republic Act 9710, <http://www.pcw.gov.ph>.

<sup>112</sup> See RA 6657 Chapter X, Section 5, RA 9700 Section 14, and RA 9710 Chapter V. Section 20 (b) (1).

<sup>113</sup> Like Sumilao farmers' march, UNORKA/Hacienda Yulo's Farmers Association had 14-day march in February 8-21, 2008 from Laguna to Manila (see PEACE report, 2008:1-17).

<sup>114</sup> Bp. Broderick Pabillo, the Auxiliary Bp. of Manila and the head of the NASSA – the social action arm of the Catholic Bishop's Conference of the Philippines, led the hunger strike in December 15-19, 2008 to press the government's completion of land redistribution and the Congress' vote to extend CARP. See, for example, Hunger striker urges President to call Congress to a special session by Leslie Ann G. Aquino and Genalyn Kabilang <http://www.mb.com.ph/issues/2008/12/20>.

<sup>115</sup> For example, SAMFAI (together with other peasant groups from Bicol) conducted a 14-day walk and ride in 2009 (during the day, they walked, but at night they rode jeepneys to go to the church-host) from Masbate to Manila to join different groups from different parts of the country to press for CARP extension and the immediate distribution of the TAIDI estate (which will directly benefit them).

*The land is our life, our ancestors have been born and died here. It has been our source of livelihood ever since we were born. We will fight until we die (Interview, July 2010).*

The peasants' actions are aimed to pressure the government on the completion of land redistribution, to demand protection from the on-going harassment and killings in many agrarian areas, and to emphasize the importance of the extension of the agrarian program. They aimed to win public support from different sectors including the church, legislators, media, various organized groups, and the masses to strengthen the pressure on the government. KP served to coordinate activities at the national level, including organizing and coordinating support from different institutions and groups.

Women's active participation and representation in development bodies both at the national and local level were also internally advocated for in the organizations to increase women's visibility and more effectively put forward their distinct issues and concerns. For example, PKKK has a memorandum of agreement with the Department of Interior and Local Governance to accredit local organizations in the Local Government Units (LGU). The experience shows various results,

*Level of the working relationship between people's organization and local government units vary depending on the personality, competency, and initiative of PO leaders and to some extent, on the openness of local leaders to relate with the PO. In the case of local government units that are more open relating with the PO, there are individuals within the local bureaucracy who either work with or are members of people's organizations and therefore these members facilitate the link between PO and LGU (PKKK External Evaluation 2009:17-18).*

In addition, there was also an active campaign for their members to run for local positions such as barangay captain and councilors. For example, as one KP participant explained,

*Women leaders should take position at the LGU, in this way we will be able to maximize the space to advocate for women's rights and claim the funds<sup>116</sup> to be used for livelihood instead of it being corrupted' (Ka Betty<sup>117</sup>, July 2010).*

Utilizing the positions at the LGU will also influence other local government officials to contribute to the advancement of the land struggle. However, in many instances, women were still considered inferior,

*[...] women are not regarded as equally capable with men, or they are ashamed to run for the post or limited with their status - no education, no support even from the family because of being women [...]* (Ka Ester<sup>118</sup>, Ka Eva<sup>119</sup>, and Ka Celia<sup>120</sup>, July 2010/2013).

Ka Eva, however, run and won many times as barangay councilor with the support of SAMFAI and her allied mayor and congressman. She still currently serves as a barangay council member.

Furthermore, as for engagement with the state,

*The peasant women are able to get some projects and support in collaboration with the local government units, for example, livestock project but with the organization, this is possible but not when it is individually undertaken, that is why organizing the peasant women as a strategy is quite important (Ka Betty, July 2010, Ka Celia, 2013).*

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<sup>116</sup> This refers to the gender and development funds or GAD fund, which was mandated to through the Nation-Building Act of 1992. LGUs and agencies are specifically mandated to allocate at least 5% of their funds to GAD-related activities and projects. In most cases, the funds are either allocated to 'insignificant' activities like the fitness of the staff, or in many instances not fully maximized for the abovementioned purpose.

<sup>117</sup> Beatriz Santiago was the first President of Kababaihan-Pilipinas, who later became the Vice-President for Visayas Region. It is an internal rule of the organization not to hold the same position twice to provide all the members the opportunity to experience the leadership at the national level. The leadership changes every two years. Unfortunately, she died in 2012.

<sup>118</sup> Ester Villarin or Ka Ester was one of the PKKK council members, representing her organization in Bukidnon, Mindanao. She is a veteran advocate of agrarian and peace issues. She was interviewed in 2010.

<sup>119</sup> Eva Almonicar is the President of SAMFAI, previously Vice-President for Luzon of KP, then Secretary General and now as Treasurer. She was previously an elected Barangay Council member and in 2013 run for Barangay Captain but lost to the wife of the Barangay Captain. She was interviewed in 2010 and 2013.

<sup>120</sup> Arceli Domingo is the current President of KP. She was a peasant leader and community organizer of ACCORD, a local NGO in Central Luzon. Now she is a member of the provincial agrarian reform committee that supports her operation as a leader organizer. She was interviewed in 2010 and 2013.

The organizations' initiatives and strategies also include consolidation efforts by regularly conducting meetings and assemblies, assessments and planning, reflection, evaluations, and holding training and education activities. The PKKK clusters, including AR cluster, regularly meet to assess or discuss issues and concerns or plan for activities. They also conduct coalition consultations at the regional and provincial level (Interview with Daryl and Ampy<sup>121</sup>, July 2010 and August 2013).

KP's consolidation and strengthening efforts included provincial consultations and assemblies. It also developed livelihood projects for some members, such as the goat raising project and small income generating projects in partnership with Melania Foundation and Global Fund for Women. The organization believes that this project can strengthen their efforts towards their members' development and towards the attainment of the organizational agenda (KP General Assembly, 2013). However, leaders explained that "the projects were not sustained due to calamities and partly due to the lack of financial capacity for monitoring" (Ibid).

Each organization's executive committee ensures the implementation of the agreed-upon plan during its general assemblies (PKKK every three years and KP every two years). In PKKK's case, the secretary-general, together with the secretariat, ensures the day-to-day operation of the coalition, including the regular meeting and planning of the eight clusters and the national council members' meeting conducted twice a year. Once KP obtained its funds, its executive committee met every quarter of the year. The day-to-day operation was overseen by the secretary-general and in principle by the president together with the national coordinator and volunteer staff. In KP, the tenure of any leadership position is limited to two years to develop and encourage as many leaders as possible to take positions of responsibility at the national level. In sum, the decision-making processes for both organizations are horizontal, representative, and democratic as opposed to the traditional, vertical, or centralized form of decision-making in social movements in the Philippines.

Active engagement with the broader social movement, the peasant and women's movement, is also a strategy of the organizations. One of their aims is to make the broader movements aware of the rural women's distinct needs

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<sup>121</sup> Daryl Leyesa and Amparo Miciano both served as Secretary General of PKKK respectively and still serve as part of the Secretariat of the organization. They are both activists and feminists active in the social movement and the rural women's movement and advocacy. They still lead the Secretariat of the coalition.

and rights, including peasant women's land rights. For KP, the emphasis is on land reform while for the broader PKKK, the emphasis is on broader rural women's issues through its eight clusters and agenda.

To do this, these groups and advocates represent themselves in different coalitions, conferences, forums, study sessions, small discussions, rallies, etc. where they persistently assert rural women's agenda and positions. This is also to raise public awareness of the existence and importance of women's distinct needs and demands. One example is the explicit provision of women's rights in the CARP extension, which has been a success, as earlier mentioned. The representation also reaches the international level, such as the link with the World March of Women<sup>122</sup> and La Via Campesina<sup>123</sup> Women. The aim is to establish solidarity amongst women across the world and to highlight the distinct Filipino peasant women's and rural women's agenda and positions. The international women's solidarity also exerts an important pressure both on the national government and organizations and international institutions to recognize and advance women's interests and strengthen substantive gains such as in women's land rights, among other women's justice concerns. PKKK also has regular representation in UNCSW and CEDAW monitoring to sustain and monitor the advocacy on rural women's agenda (see PKKK evaluation, 2015).

In sum, the current initiatives and strategies of the rural women's movement are focused on engaging the government and the broader local and international social movement, and to assert the equal advancement of rural women's gender and class concerns. Overall, the persistent injustice experienced by rural women is brought about by various issues and concerns, including the maldistribution of assets such as land and the continuum of misrecognition of women's rights reinforced by the cultural practices and social norms cutting across economic, political and socio-cultural sectors.

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<sup>122</sup> World March of Women is an international organization which launched campaigns, some of which are against violence on women and children coordinated internationally and conducted at national levels including in the Philippines. A number of women leaders represented the country at the organizations' international activities (for more details see [www.marchemondiale.org](http://www.marchemondiale.org))

<sup>123</sup> La Via Campesina or International Peasants' Movement is the international movement of peasants, small and medium-size farmers, landless people, women farmers, indigenous people, migrants, and agricultural workers from around the world founded in 1993 (for details see [www.laviacampesina.org](http://www.laviacampesina.org)). Previously, UNORKA was among its observing members from the Philippines. A member of PKKK, Paragos, also represents the peasant women in the organization.

However, despite various legal and policy successes, and various feminists' initiatives to advance gender equality, the marginalization of women persists.

## **5.5 Women's movement gains and challenges**

What are the various successes and challenges relating to the advancement of peasant women and their interests? The opportunity of having a democratic space during the post-Marcos dictatorship and the advancement of gender equality led to the proliferation of women's organizations and various issue-based alliances that pushed for legal reforms and demanded access to resources and improved services from the state. The promotion of gender equality through policy changes and alternative programmes became the basis of gender integration in various concerns. Women actively engaged the government to develop, for example, the Philippine Development Plan for Women (PDPW) and to advance various demands such as the five percent gender and development (GAD) budget, women's help desks, crisis shelter and legal assistance for abused women and children, livelihood and credit programmes, policies on integration of gender in institutions, reformed laws and policies to protect women's human rights, amongst others (Sobritchea, 2004: 109 and 113).

Hence, the critical participation and engagement of the socialist feminists with the state and the society have led to significant gains and important breakthroughs, not only within the state but also within the left, within the NGO community and the larger society. This has also led to the birth of PKKK and KP. The feminists' advocacy ranges from reproductive rights, lesbian and gay rights, the elimination of all forms of gender violence (including prostitution and sex trafficking), to issues on poverty, environmental degradation, foreign debt, and other national issues (Ibid, 115-116). A corollary to this is the women's movement critique of the state and various social institutions for the persistence of sexism in laws, cultural practices, and social relations (Ibid).

The engagements of rural women's movement, specifically, has resulted in the passage of the Magna Carta of Women and the explicit recognition of women's equal rights to land in CARPER. After more than a decade, the PKKK has strengthened rural women leaders' knowledge, skills, and attitudes, such as in negotiations with local government units and national and local government agencies, data gathering, action planning, project management, proposal-making, amongst others. In some areas, women have participated in governance and provincial development councils and have developed local pilots for women's enterprise development, among others (PKKK evaluation, 2015:3-7).



The heightened awareness on women's issues within and outside the nationalist groups was driven by women activists, supported by funding from many donor agencies and international institutions for gender programmes led by the UN (Sobritchea, 2004:107). Advancements in advocacy, organizing, and consciousness progressively conveyed some feminist ideals and actions in the political realm and increased the number of women's movement, including the number of grassroots organizations, women's NGOs, coalitions, and professional groups. It also strengthened the movement's capacity to respond to specific gender-based problems such as violence, unemployment, or malnutrition (Ibid). These advancements also influenced various government's formulation of development plans and programmes responding to women's needs and concerns, including sector representations such as in the National Commission on the Role of Filipino Women (NCRFW)<sup>124</sup> (Ibid).

These gains (especially in laws and policies within the state and different institutions and within the broader movement), however, have yet to translate to genuine gender equity in Philippine society. This challenge is manifested by the persistent poverty and inequality experienced in the country as pointed out in the beginning of this study. The persistent small number of women land reform beneficiaries and their lack of awareness about their land rights are some indicators of the challenges specific to rural women. As also pointed out and quoted in an FGD of PKKK evaluation,

*"Jointly in the effort to push for agrarian reform, even as there were stand out successes, the assertion/affirmation of the right to the land of men and women needs sustained, unrelenting social pressure action. Among others, I see two very important requirements for effective campaigning that rural poor people lack: the enormous logistical requirements (for transportation and food), and the need for high legal rights consciousness that will allow rural poor to navigate the laws and policies so that they are able to identify concrete targets at a particular moment in the struggles."* (PKKK evaluation, 2015:18).

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<sup>124</sup> NCRFW, now named as Philippine Commission on Women (PCW) is an advisory unit under the Office of the Philippine President. Among its functions is to institute the gender responsiveness of national development plans and coordinate the preparation, assessment, and updating of the National Plan for Women, ensuring its implementation and monitoring the performance of government agencies in the implementation of the plan at all levels (see [www.pcw.gov.ph](http://www.pcw.gov.ph)).

In other words, the concrete translation of such policies and laws into the increase of the number of women beneficiaries in land redistribution remains an unfinished task.

Furthermore, the persistence of the prioritization of class over gender concerns within social movements is manifested by continuous gender stereotypes and norms and remains a big challenge. Hence, organizations like PKKK and KP must sustain and strengthen its efforts to continuously advance rural women's concerns amidst multiple concerns in the country (see also PKKK Evaluation 2015). This is also in light of the fact that the women's movement has too many concerns and it is a challenge to determine which ones should be given priority or how these concerns could be given equal attention (Sobritchea, 2005: 81).

Sustaining activities to strengthen women's organizations and initiatives is also a huge challenge. PKKK pointed out that these include: sustaining education and information activities, monitoring behavioural changes in the households and communities, sustaining these gains, and maintaining unity amongst members, translation of gained skills and knowledge in organizational endeavours, development of second-line leaders, resource mobilization, values formation, self-reliance and valuation of work (PKKK Evaluation, 2015:19-20). In other words, although feminists' and rural women's agenda and initiatives have been well-established, achieving gender equality and overcoming patriarchy and inequality, and more especially recognizing women's land rights and including them in agrarian affairs, remain seemingly insurmountable tasks in Philippine society.

## **5.6 Summary and conclusion**

This chapter traced the history of the country's liberation movement and found that women's active participation in the struggles against colonialism and the resistance post-colonialism were not equally valued with men. Although women played crucial roles in the critical conversations and response actions to solve national issues including land reform, they were still viewed as secondary and inferior to men. This is despite women's active productive and reproductive roles including in agrarian struggles. Their devaluation is based on a distorted dichotomization of productive/reproductive roles or gender-based division of work brought about by patriarchal ideology.

The resulting social transformations triggered by men and women's active social movements and the revolution against the country's colonizers, therefore, did not necessarily change the gendered societal norms and cultural

practices that are discriminative against women. This extended to the contemporary people's movement, where class issue remained the central concern until the birth of feminism and the women's movement in the 70s. This shift, however, was considered 'divisive' and detrimental to the primacy of class or redistributive agenda.

Nonetheless, the persistence of feminism within the social movement especially in the 90s gave birth to the socialist feminists' goal of advancing both the class and gender agenda, which is contrary to the prioritization of class. This is consistent with Fraser's integrated justice approach. However, while this shift has changed the course and began to imprint and institute changes leading towards the liberation of women and towards gender equality, it also divided the women's movement. This shows, therefore, that the challenges amongst feminists and the women's movement remain enormous. The tension between class and gender approaches reflects the tension between the divided views on productive/reproductive roles and redistributive and non-redistributive approach that feminists have earlier questioned, and which further impeded the advancement of gender justice. In my view, not questioning this dichotomy will retain the invisibility of women and the continuous disregard of the importance of simultaneous advancement of class and gender agenda. This could result in peasant women's continued exclusion from land entitlement, political participation, and governance, amongst others. Without advancing both class and gender concerns, recognition of women's rights and interests will not be given adequate attention.

This chapter, therefore, puts forward the view that without a gender perspective, the social and women's resistance movement will not be able to fully understand, unpack and transform a gender-unjust society. Therefore, applying a gender perspective, matters in understanding the existing gender relations in society and within social movements, along with the uneven impacts of development initiatives (i.e. the exclusion of women and their interests, such as in land reform). The gender injustice in land reform processes is brought about and exacerbated by the pervasiveness of the patriarchal structure, and is not easy to overcome, given its deep entrenchment in the society. This therefore shows that the consistent integration of gender in all socio-economic and political concerns is crucial to eventually attain gender justice.



A protest march of KP-UNORKA in front of the agrarian department to press for CARP extension in 2008.



6

## Gendered Resistance to Land Reform: Women and Land Rights

### 6.1 Introduction

The previous chapter showed the evolution of feminism in the Philippines and the resulting formal recognition of women and their rights, increasing women's leadership and movement and relative gendered social transformations. The latter includes the institutionalization of gender responsive laws and policies in the country including in land reform. Building on feminists' scholarships on land and agrarian reform movement and guided by agrarian gendered justice framework, this chapter looks at the KMPCI and SAMFAI's community-based land struggles, highlighting the status of land (non)redistribution, (non) recognition and collective representation of peasant women's land rights. This chapter specifically addresses the questions: what are the roles of peasant women in relation to men in the land struggle and why have they taken on such roles? How does their active participation and leadership affect the advancement of women's land rights?

Drawing from Fraser's interactive approach to justice, this chapter further asks, what do peasants' land reform struggles tell us about the peasants' organizations and women's roles in the land struggle today? What are the implications of the said struggle on the (non)recognition of peasant women's rights? What are the gender changes or continuities that peasants are experiencing (especially in terms of roles and benefits)? Fraser's interactive approach posits that the combination of redistribution, recognition and representation will bring forth justice, including gender justice. Her framework helps us to tease out the impacts or benefits of land redistribution on women's rights, as it simultaneously addresses how gender structures impact access to and control over land, and women and men's interests and roles in the agrarian movement. This chapter also explores how gender inequalities are currently structured and perpetuated and what hinders the advancement of women's rights to land.

Drawing on the two cases, this chapter focuses on the gendered resistance to land rights claims, with women being on the frontlines. The two cases reveal the critical role of women in land rights claim in contrast to the

invisibility of women's role and the usual erasure of gendered actors in the narratives on and literature in land reform and agrarian movements. KMPCI and SAMFAI reveal that both peasant women and men play critical roles in land struggles and agrarian change. Second, the cases reveal the extent to which gender relations shift or resist change, in the ongoing land claims of peasant men and women. The cases demonstrate the exercise of collective agency and women's leadership in demanding justice by engaging the government and through rightful resistance (albeit not explicitly on gender concerns). Peasant women's leadership and frontline roles therefore do not necessarily equate to 'expressed demands' for women's strategic gender needs or equal land rights.

The chapter first provides a background on land reform struggles of KMPCI and SAMFAI and their strategies. The second section describes women's deployment of their agency as front liners in the struggles, including their gains and the current challenges they face. The next section discusses and analyses the continuum of non-recognition and non-assertion of women's equal rights and strategic gender needs. The fourth section discusses the constraints and ways forward on gender justice in land reform. The last section provides some conclusions.

## 6.2 The land reform struggles of SAMFAI and KMPCI

The SAMFAI and KMPCI were purposively selected from among the member organizations of Kababaihan Pilipinas (KP), a federation of peasant women's organizations federated through the gender program of the Philippine Ecumenical Action for Community Empowerment (PEACE) Foundation<sup>125</sup> as mentioned in Chapter 3. These two case studies are not necessarily meant for comparison or to draw generalizations, but to illustrate the complexities of two different peasant organizations' experiences and agrarian contexts. These two organizations were also chosen since their presidents are both women and their land struggles are led by peasant women. KMPCI president was a woman since its founding while with SAMFAI, the female president took over as president when the first president (who was a man) was murdered in 2008. However, she was the vice-president of the organization since its founding, thus, she also represented the organization since the

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<sup>125</sup> The PEACE Foundation, Inc. organized several community peoples' organizations, including the SAMFAI and KMPCI, through its local NGOs. The lack of funding since 2009 and the death of its president in 2014, however, stopped the institution's operations, although many of its founded NGOs are still operating, including the members of Rights Network who separated just before PEACE ran out of funds and initially got their funding support from the DAR in 2008.



beginning. As discussed in the previous chapter, these two women leaders are also national leaders (see Table 10) and represented their organizations and other cases in their provinces at the national level.

### 6.2.1 Brief Background of SAMFAI

The *Samahan ng mga Anak ng Magsasaka sa Famosa Inc.*, (SAMFAI) or Organi-



Map 1: Province of Masbate

Source: google.com/masbate map

zation of Farmers' Children in Famosa is a peasant organization formed in 2004. According to their official list, they have 100 members, 96 percent of these are men. They are continuously petitioning for the acquisition and distribution of 436 hectares out of a recorded 490.6257 hectares of Ticao Agro-Industrial Development Incorporated (TAIDI) estate under TCT No. 627. The estate was

“formerly”<sup>126</sup> owned by How family and in 2007 claimed to be “donated” to Silliman University<sup>127</sup>. Out of its 100 members, sixty-seven couples collectively occupied the area in 2006. While men are listed as members, both men and women are involved, which means that women members in the organization, except for the four who happened to be separated and widowed, are dependent on men. The organization is in *barangay* Famosa, Monreal, Masbate Province (see Map 1).<sup>128</sup> According to the municipal profile, *barangay* Famosa is one of the eleven *barangays* of Monreal, a fourth-class municipality, with a population

<sup>126</sup> The SAMFAI members still believe that the How family remains as the owner and manager of the TAIIDI estate.

<sup>127</sup> Silliman University is in Dumaguete City, Negros Oriental. For more information see [www.su.edu.ph](http://www.su.edu.ph). The city is approximately 209 miles from Masbate City.

<sup>128</sup> Masbate is among the top 10 poorest provinces in the country with a poverty rate of 44.2% in 2012. Accessed 7 February 2015, <<http://www.nscb.gov.ph/poverty/defaultnew.asp>>

of 1,027. The barangay is mostly devoted to agriculture, with 489 hectares planted with coconut.

On 23 September 1998, the DAR regional office of Masbate Director Percival C. Dalugdog issued an order, a portion of which says,

*In the light of the foregoing, the petition for exemption/exclusion...is hereby approved for 436 has. of the company's 491 has. property. The rest around 55 has. will be covered and distributed to farmworkers and other qualified farmers duly screened by DAR immediately or as soon as possible...In addition, the PARO is also directed to immediately draft the MOA covering the area for the joint venture commercial forest project containing a provision for its eventual distribution to qualified beneficiaries after the end of the said project.*<sup>129</sup>

The covered area for the establishment of joint venture is 200 hectares that is eventually for redistribution to the farmers.<sup>130</sup> The order was pursuant to the petition of TAIDI, Inc. represented by Francis How in April 14, 1997 to exclude the property from agrarian coverage claiming that the area is devoted to livestock<sup>131</sup>. TAIDI's petition was a reaction against the 16 February 1996's notice of coverage issued by the municipal agrarian reform officer, Mr. Carlos Alcantara, who recommended the coverage of approximately 285 hectares and identified 157 hectares as pasture area<sup>132</sup>.

On 1 February 2005, the agrarian regional office ordered the provincial office to conduct an ocular inspection based on the petition of the DAR provincial office through OIC Provincial Agrarian Reform Officer, Eliezer A. Reuyan. This is to address the SAMFAI petition against the exclusion of 436 hectares<sup>133</sup>. The provincial officer filed a petition for the revocation and/or cancellation of the September 1998 Order of Exclusion when the investigation and area inspection showed that the excluded area was a coconut area and no pastureland was visible. On 13 August 2007, the DAR Secretary, Nasser Pangandaman, denied the petition on the basis of 'lack of merit' for reasons of: first, the order has already become final and executory 'for failure of the parties to appeal' based on the Order of Finality issued on 17 July 2000 by then Region V Director, Dominador Andres. Second, the conclusion that the landholding is not devoted to livestock was disputed by the caretaker,

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<sup>129</sup> Information taken from SAMFAI case brief

<sup>130</sup> See SAMFAI Petition to the Court of Appeals (2008)

<sup>131</sup> The case of Luz Farms vs. DAR Secretary has declared unconstitutional the inclusion of lands devoted to raising livestock, poultry, and swine under agrarian coverage (see DAR Order (2007))

<sup>132</sup> Based on the SAMFAI case brief.

<sup>133</sup> See DAR Order (2007).

Zaldy Abella and P./Sgt. Wilfredo B. Canares, who claimed that the team of inspectors stayed only within fifty(50) meters from How's bungalow/office and that the cattle are grazing in the mountain during the inspection. In addition, there was no dispute raised since the Order.<sup>134</sup> On 15 April 2008, based on the motion for reconsideration filed by provincial officer Huberto Villaraza, the DAR Central affirmed its decision on 13 August 2007 and considered the case 'closed and terminated.'<sup>135</sup>

Based on these facts, there are three important concerns worth discussing. First, given the DAR Central office's decisions in August 2007 and April 2008 in response to the petitions from its provincial officer (representing the farmers), it is surprising that the agency did not immediately draft a memorandum of agreement directed by the 1998 order that it is affirming. After more than two decades, as the joint venture had never commenced, the coverage and redistribution of 200 hectares could have already been instituted.

Second, it seems that there is lack of coordination within the agency (if not lack of political will) to implement the program for two reasons: One, it is odd that the DAR Central cited as basis of its decision the landowner's caretaker's claims rather than the report based on ocular inspection of the agency's local team. Assuming the DAR Central has doubted the DAR local team, it could at least send its own team of inspectors to establish the fact itself. It is very strange that the local officers' report was discounted given that they are the agency's representative on the ground and worse, they have used the officers' report as basis for denying their petition. Besides, the local officers' findings partly coincide with the earlier findings based on Dalugdog's 1998 order. Two, while the first reason for denying the petition was the 'failure of parties to appeal', it could be asked back to DAR why there was no appeal lodged upon issuance of the decision. Why did the provincial officer not appeal? Why did Regional Director Dominador Andres decide with Order of Finality in 2000 without an appeal from the provincial officer, the appellant, who is his subordinate? Since it is the DAR's failure itself, is it a valid basis for DAR's decision in 2007 and 2008? Who is now accountable for this negligence?

Finally, the DAR Central office' April 2008 decision, however not mentioned in the August 2007 decision, noted that, "Movant posits that the refusal of Mr. Francis How, Manager of Ticao Agro Industrial Development, Inc., to draft a Memorandum of Agreement for a Joint Venture Commercial Forest Agreement is a complete defiance of the Order dated 13 August

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<sup>134</sup> Ibid

<sup>135</sup> See DAR Order (2008)

2007.” (DARCO Order Series of 2008). The irony is, why did DAR wait for the TAIDI to draft the joint venture agreement while TAIDI’s opposition is already obvious? Nonetheless, given the finality of the DAR Central office’s decisions and the failure to come up with joint venture agreement due to the refusal of Mr. How himself, the immediate redistribution of the 200 hectares to the farmers as the Order provides attests as logically the next step. These three points also show how land redistribution can be delayed or halted by legal processes, inefficiency, lack of political will to implement the program - ultimately how power plays a role in the implementation of agrarian policy.

Meanwhile the SAMFAI’s members are continuously contesting the agency’s decision and inaction. In their petition they argued that,

*The petitioner humbly contended that the Honorable public respondent erred in denying the petition for the revocation and/ or cancellation of the Order of the DAR Regional director, Regional Office No.5 since the 200 hectares are now actually occupied and cultivated by the members of Samahang Anak ng Magsasaka ng Barangay Famosa (SAMFAI), and which areas are supposed to be the subject of revocation and/ or cancellation from exclusion of the CARP coverage out of the 436 hectares of the landholdings of the Ticao Agro Industrial development Corporation (TAIDI) and the denial is not in accordance with law and jurisprudence.*

This petition was lodged in July 2008 at the Court of Appeals with a petition claiming the DAR Secretary’s grave abuse of discretion and requests for the temporary restraining order and/ or a writ of preliminary injunction to the enforcement of the August 2007 and April 2008 DAR Central order. The petition, however, was denied because of incomplete documents<sup>136</sup>.

Furthermore, SAMFAI also claimed that the area was never intended for cattle grazing. As some of them pointed out,

*Since the 1920s, when our ancestors had started working in the lands, the area is planted with coconut and corn. There are cows but only a couple, few of them. Since late 1920s our fore grandparents were already in the area as tenants and farmworkers. The hacienda was not yet owned by the How’s then.*<sup>137</sup>

To pressure the government, sixty-seven of the 100 SAMFAI members decided to occupy and farm the land on 16 November 2006. According to a SAMFAI leader,

*The land occupation is partly out of our protest, but also as a means of subsistence and livelihood. We know our rights as farmers provided in the agrarian law.*<sup>138</sup>

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<sup>136</sup> Interview with Ka Cita, 2013

<sup>137</sup> Interview with Ka Bering, 2013 and Ka Cita, July 2010/2013

<sup>138</sup> Ibid

Despite the abovementioned action, and a series of other collective actions by SAMFAI through mobilization, picketing, dialogue confrontations with the national and local DAR, the DAR remains indecisive in terms of redistributing the 200 hectares that was covered in the DAR Region 1998 order affirmed by the 2007 and 2008 DAR Central order.

Meanwhile, SAMFAI's claim had become more complicated after the DAR Central August 2007 decision. This is because Silliman University started to come into the picture with a claim that the land was donated by Francis How, the estate heir, showing a 'deed of donation'. Allegedly, instead of distributing it to the farmers who had 'no debt of gratitude', How preferred that the land be given to the university, with the proviso that it would not be subjected to CARP.<sup>139</sup>

It is found, however, that the deed of donation would not stand to not cover the land under the program, as the DAR officers said,

*The deed of donation itself will not stand if the area is already covered by the agrarian program. I am not particularly familiar with the case itself. The DAR should investigate the case closely.*<sup>140</sup>

Until recently, however, the DAR has no resolution to the case,

*The agrarian has no solution to our case yet. Silliman did not show up in the meeting and according to DAR they will send them a letter again. Until now we do not have an update.*<sup>141</sup>

Meanwhile, the SAMFAI leaders and members continue to suffer from different forms of violence inflicted by the guards and supporters of the landowner. On 20 July 2007, former SAMFAI President Ka Bito Yusi (and former member of the UNORKA Council<sup>142</sup>) was shot dead by unidentified, heavily armed men in military uniforms in front of his family, and this was also witnessed by some SAMFAI members. Allegedly, before he was murdered, a security guard of Silliman University ordered him to stop cultivating the land and threatened him.<sup>143</sup> A local fact-finding mission was conducted in August 2008 upon the request of Bishop Baylon, who at the same time served as the chairperson of the then Masbate Center for Rural Development and Empowerment, a local PEACE network member organization. To date,

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<sup>139</sup> Ibid

<sup>140</sup> Interview with DAR Undersecretary, Legal Division, 2013

<sup>141</sup> Communication with SAMFAI leader, July 2019/January 2021

<sup>142</sup> As President of Alsa Paraoma, a federation of Masbate POs, he was a member of the National Council of UNORKA.

<sup>143</sup> See PARRDS (2008)

however, his murder remains unresolved, similar with the cases of Ka Eric Cabanit and several peasants and organizers who lost their lives during the agrarian struggles. Ka Bito's family is not optimistic that justice will be served. As his wife claims,

*There is no more hope...we have no money; we also do not know the suspects. We blattered the case to the police but there was no action. All the deaths anyway are like that, no justice – many were murdered...cases were filed, but no justice.*<sup>144</sup>

### 6.2.2 Brief Background of KMPCI

The *Kaisaban sang Mangunguma sa Programa san CARP* (KMPCI) or Unity of



Map 2: Province of Iloilo  
Source: www.mapsofworld.com

Farmers in CARP was organized in 2003 with 32 active members, ten of them are women. The organization is in Libertad, Banate, Iloilo Province (see Map 2). Libertad is one of the 17 *barangays* in the Banate municipal area. The *barangay* is four to nine kilometres from the town, with only about 50 meters of cemented road, which limit public trans-

portation to single motorcycles, thereby also limiting people's mobility and economic activity. The *barangay* has a total land area of 1,800 hectares, 75% of which is agricultural land planted mostly with sugarcane. It consists of 664 households and 2,935 people.<sup>145</sup>

KMPCI has represented the farmers land rights claims since its formation in 2003, also through the support of PEACE Foundation. Upon exhausting efforts to engage in dialogue with the local and national DAR officials to counter the Valderama's (the landowner), opposition and harassment, the organization decided to 'self-install' in the area awarded since 2006 through CARP. For them, self-installation is a way to claim their rights and

<sup>144</sup> Interview with Betty, 2013

<sup>145</sup> Barangay and municipal profile and interviews 2013



to pressure the government to act for their immediate installation in the awarded area. One of the leaders shared,

*After series of requests and inactions from the DAR to install us in the awarded land, we decided to install ourselves in the area in February 20, 2006. We also wrote to Mayor Cabangal about it and requested Chief PNP Wilfredo Rios' aid.*

In response, Valderama filed a case of forcible entry against the 34 farmers on March 7, 2006, with a request for a writ of Preliminary Injunction, Civil Case No. 06-365-B. The counterclaim and motion to dismiss was submitted through Atty. Sumile<sup>146</sup>.

The awarded land covers 111 hectares out of approximately 500 hectares of Valderama estate in the Banate and Anilao areas. Allegedly, the Valderama family owns more lands in the neighbour province of Negros Occidental. The KMPCI members claim only 44 hectares out of the 111 hectares. The farmers claim that due to the resistance of the Valderama's and the 'unsupportive DAR', they had not yet been granted full ownership of the awarded land. Their letter to Engr. Gideon Umadhay, the Provincial Agrarian Reform Officer of Iloilo on 18 June 2013 demanding their immediate installation, attests to this,

*For the past several years and after numerous dialogues, your office...have committed many times that you will install us...We vividly recall that you assured us many times that come December 2012, when the contract of lease shall expire between the Valderama family and their corporation, you will install us no matter what. But now, 6 months have passed, and no installation took place. We are also dismayed that every now and then you offer so many excuses...we cannot understand why your office continues to refuse to install us.*

The statement proves the frustration on the part of the farmers and the agrarian office' inaction and broken promises. This is despite the farmers' rightful ownership of the land as mandated by the agency's redistribution in 2006.

The farmers installed themselves on the awarded land, and in less than a year harvested sugarcane. They were able to harvest eight truckloads of sugar in 2008 that yielded around 43,000 pesos (approximately 780 Euros). In response, Valderama charged the 27 beneficiaries and the two community organizers of PEACE of five counts of theft and "forcible entry"<sup>147</sup> in January

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<sup>146</sup> Information from the case brief, chronology of event.

<sup>147</sup> The 'forcible entry' accusation by the landowner against the farmers, however, could be treated invalid because the land was already awarded and titled to the farmers. Therefore, they are already the rightful owners of the land.



2007<sup>148</sup>. The criminalization of peasants is one of the strategies that landowners use to dissuade the farmers and to delay or evade land reform (see also Franco and Caranza, 2015 and Isaac et.al, 2018). This is what KMPCI members experienced, as several cases were filed against them.<sup>149</sup> To evade imprisonment, the members with criminal charges fled,

*We left the area and our families behind for almost three months. We sought refuge at the national office of UNORKA in Manila. It was in the middle of the night when we fled. We had to climb the mountain and we were soaking wet because it was raining very hard. It was very difficult.*<sup>150</sup>

They were only able to return to their homes upon obtaining funds for their bail applications through the support and campaigns of UNORKA, PEACE, and other national NGOs. The case was dismissed for lack of evidence by the prosecutor on February 14, 2007. The Valderamas have dismissed eleven farmers as regular farmworkers in the hacienda.

In 2007 the DAR installed the KMPCI, due to the pressure from the people's movement and the support at the national level, including from UNORKA and PEACE. However, only eight hectares out of the 111 hectares awarded land with a “mother CLOA”<sup>151</sup> was bestowed to the beneficiaries. All in all, the number of the beneficiaries are ninety-four; thirty from Banate—organized to KMPCI—and 64 are from Anilao, who are said to be landowner loyalists or landowner ‘die-hards’, except for four people who are active members of KMPCI. These “pro-landowners” or “die-hards” are

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<sup>148</sup> Information from the case brief, chronology of event.

<sup>149</sup> In their case brief, on March 2, 2006, two FB's were charged of grave coercion but eventually dismissed for lack of evidence followed by the forcible entry on March 7, 2006. On June 24, 2006, Valmag filed ejectment followed by the qualified theft charges against 27 FBs and 2 COs on December 7, 2006. 11 FBs were also discharged from work on July 2006. They also filed petition for inclusion/exclusion, which, resulted to an exclusion of 14 FBs on September 29, 2008 by Director Arsenal. On June 20, 2011, the DAR central office investigated the inclusion/exclusion. On April 20, 2012, the dialogue with DAR concluded that they should wait for the expiration of the lease contract of Valmag on 31 December 2012.

<sup>150</sup> Interview with EA, 2013. While at UNORKA's office in Manila, the group talked to different organizations about their case to gain support for their cause.

<sup>151</sup> The “mother CLOA” is the title given to the land reform beneficiaries through the CARP as the area is not yet subdivided individually to the beneficiaries. It covers the distributed area, in this case 111 hectares of land, and specifies the names of individual farmer beneficiaries. Each individual beneficiary is entitled to a maximum of three hectares of land.

hesitant to fight for their rights due to fear of eviction or loss of income. As some of them elaborated:

*I knew that I am in the CLOA, but I am not sure if the land will be given. If it is given, I will accept it. I will be dismissed at work if I fight for it—that means no income for me... With the hacienda, if there is an emergency, I could turn to them, for example, for rice. I could get rice from the canteen or cash, P500 for emergency. It depends on the needs.*<sup>152</sup>

*We knew about CARP... our houses are inside the hacienda. We might be evicted, there is nowhere to go. The landowner said we will also be given land; we are listed through CARP. However, we are not interested...it is difficult to work outside the hacienda...if we are evicted, where do we go? If the landowner will give us [land], we will accept. If not, then that's it...*<sup>153</sup>

These narratives indicate that these 'pro-landowner' farmworker beneficiaries are not aware that they are already the owners of the awarded land given their inclusion in the CLOA. Instead, they are waiting for the previous landowner to surrender the lands, which is not likely to happen. It is also clear that they are threatened by the loss of income and 'eviction' from the hacienda. Altogether, these give them reasons not to fight for their rights over the land regardless of their inclusion in the awarded title.

More than eight years after becoming land beneficiaries by the time this research was being conducted in 2013, the KMPCI on the other hand, was still actively engaging the DAR and demanding for their full installation to the 44-hectare land. During the interviews in 2013, KMPCI members were excited at the prospect of being installed by the DAR, but this did not happen. This was despite the resolution that was agreed upon in April 2012 between KMPCI and DAR that by the end of the year, installation will follow upon the expiration of the lease contract of Valderama to their Valmag Agro Industrial Corporation. Finally, in June 2014, however, I was informed by a leader of the organization through text messages that they were finally fully installed in the 44-hectare land. However, it was claimed by KMPCI then that the Valderama family was still exhausting legal possibilities to get the land back. If this is the case until now, this indicates that those beneficiaries who were afraid to fight for their land rights and instead opted to believe Valderama's promises may never ever have control over the land that legally already belongs to them. It can be argued, however, that regardless of these CLOA

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<sup>152</sup> Interview with Ely, 2013

<sup>153</sup> Interview with Dito, Issa, and Baba, 2013

holders' 'unwillingness' to get their land, it is the DAR's responsibility to guarantee the farmers rights as beneficiaries of the program.

Meanwhile, a recent conversation with KMPCI leader, revealed that the organization is still fighting for the coverage of 36 hectares and the subdivision of the 44 hectares,

*We still have 36 hectares in Banate areas that we push for redistribution coverage, applied for by 16 members four years ago. It is still pending at the agency. Also, the subdivision of the 44 hectares is still pending and the 111 hectares are still for schedule for the survey.*<sup>154</sup>

### 6.2.3 Peasants' contestations, strategies, and tactics

The two cases above are examples of the long overdue agrarian program implementation. As Bello et.al (2014) pointed out, the CARP's 'dismal performance' and 'non-accomplishments' have been widely recognized as the result of vested landed interests, the state's gross lack of political will to implement agrarian program, and high levels of incapacity, inefficiency, and long-entrenched corruption within the DAR (2014:110). The landlords continue to evade the land redistribution process by using legal loopholes and resorting to any other possible means to prevent the success of land redistribution (Ibid).<sup>155</sup> Some of these means are the criminalization of farmers, as experienced by the KMPCI and SAMFAI members, and the never-ending petitions lodged in the DAR and/or legal institutions to delay and or halt the land acquisition process. This study also found that evasion could also be through "donation" of the land, such as in the case of TAIDI.

Meanwhile, the farmers also reported that the landowners continue to harass and threaten the farmers through their guards who often use and point guns at the farmers, or who limit the farmers' mobility through "*isang labas-pasok*" (one entry-exit) policy in the hacienda. They are also deprived of electricity and threatened to be evicted from their houses. Moreover, their plants were also destroyed, forced them into agreements or contracts or worst, assassinated men farmer leaders as in the case of Jose Banca and other leaders like Bito Yusi, Eric Cabanit, and many more<sup>156</sup>. These tactics are intended 'to instil fear among the peasants' and 'weaken our claims', the peasants pointed

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<sup>154</sup> Conversation with KMPCI leader through messenger, 3 October 2019

<sup>155</sup> For a deeper discussion on the legal and extra-legal manoeuvres of anti-reform elites by activating the law and pro-reform initiatives, see Franco (2008).

<sup>156</sup> See also PARRDS (2007)

out<sup>157</sup>. These are the everyday experiences that peasant women and men face in the process of claiming their land rights through CARP.

Despite these difficult circumstances, many peasant groups choose to continue to assert their rights and demand for justice through the completion of CARP. As pointed out in Chapter 2, to transform injustice in the gendered agrarian structure, the social movement engages the state to advance CARP and disrupt the landlords' strong opposition to land redistribution. It is believed that the state will not act without pressure from the peasants. Hence, the bibingka strategy or state-society interaction – strong movement below complemented with state reformists above – is crucial to advance the interests of the poor and (near) landless peasants (Borras, 1998; Fox, 1993). Utilizing this strategy, PEACE noted in early 2000 that,

*PEACE, together with its partner people's organizations from national to local levels, has been instrumental in facilitating transfer of over 200,000 hectares of agricultural lands to over 70,000 agrarian reform beneficiaries. Despite and because of its history and strength of militant approach, PEACE was able to influence the Department of Agrarian Reform (DAR) into effective partnership to implement agrarian reform in selected provinces nationwide; thus, the movement of over 200,000 hectares of land.*<sup>158</sup>

Indeed, after the split of the ND movement, as discussed in Chapter 5, PEACE together with its partner peasant organization, UNORKA, with which the KMPCI and SAMFAI are affiliated, opted to critically engage the government or employ 'bibingka strategy' in Borras' (1998) terms to advance land redistribution and the interests of the (near) landless peasants. Hence, the people's organizations such as UNORKA continued its critical engagement with the government to advance land redistribution. In UNORKA's 4<sup>th</sup> Congress in 2006, for example, Ka Vangie<sup>159</sup> in her speech said,

*CARP was a result of the Mendiola Massacre and the series of actions leading to the enactment of the law, it is not an initiative of the government. Fighting for land reform is connected to social justice, something the government has failed to take seriously through actions. There are existing laws for land reform, for social justice, yet unless we do something, the government will not move to implement the said laws. We must not be blind; we must not believe that the law will always be*

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<sup>157</sup> Interview with SAMFAI and KMPCI, 2013

<sup>158</sup> PEACE profile (2009:2)

<sup>159</sup> Ka Vangie Mendoza, as earlier pointed out (p. 121) is a woman leader and founding Secretary General of UNORKA. She is known for her leadership, bravery, and commitment to the peasant cause.

*there. The elite knows the consequences of land reform, and they know how to manipulate the law.*<sup>160</sup>

Her speech suggests their determination to claim justice through its active movement and critical engagement with the government to fight for land redistribution. During this Congress, 132 official delegates from its 93 member organizations from all over the country attended. Unfortunately, it does not show the number of men and women delegates. However, I can recollect the participation of several women leaders, of KP leaders, including the leaders of KMPCI and SAMFAI, who were also part of UNORKA's leadership (see Table 10). Around 5000 delegates of peasants joined the mobilization calling for justice for the slain Secretary-General during that time, Ka Enrico Cabanit, and also accountability for the futile implementation of agrarian reform (UNORKA report, 2006:3). The leaders and some members of the SAMFAI and KMPCI were among them. This shows that early on, UNORKA and its members were not explicitly and consciously recognizing and representing women's equal land rights although they were the ones leading the agrarian struggle.

In terms of engagement at the national level, UNORKA employed a combination of tactics such as dialogues, pickets, campouts, calling for the resignation of DAR Secretaries, and legal offensive, among others. Within five years, UNORKA has led the ouster of three DAR Secretaries: Hernani Braganza in 2003, Pagdanganan in 2004, and Villa in 2005. At that time, the organization had 769 land cases lodged at the agrarian department (Ibid). The cases varied from CARP coverage, installation of beneficiaries, to cancellation of CLOAs, and with it are cases of ejectment, illegal detentions, criminalization cases, harassments and even killings (Ibid, 7-8). KMPCI and SAMFAI are among the victims of some of these incidents. In this report, it is noted that among their plans for 2006 to 2008 was the self-installation of cases such as the KMPCI in Iloilo, Negros Occidental and Negros Oriental (Ibid:13). This shows that the cases in this study are only two of the many land struggles in the country. This also shows that the land struggles by UNORKA since early 2000 were nationally coordinated but also localized.

At the local level, peasant organizations like SAMFAI and KMPCI were part of a nationally organized approach to advance justice by resorting to "rightful resistance". Particularly, their resistance involves land occupation and self-installation, many of which were led by women and men but do not necessarily represent and recognize women's equal land rights. The two terms

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<sup>160</sup> UNORKA 4<sup>th</sup> National Congress report (2006:4-5), see also Unorka report (2009).

- land occupation and self-installation - are both used to refer to the peasant actions to have actual access to the land they are claiming. The term self-installation, however, is used where the action is referring to the beneficiaries, who, in spite of being awarded with land, do not necessarily have the actual access to and control over the awarded land because of landowner's opposition to the redistribution. They, therefore, self-install themselves in the awarded land.

Rightful resisters, as O'Brien pointed out, are 'noisy, public, and open' with the aim to mitigate the risks of confrontation by 'disrupting' but not becoming unlawful (1996:34). The peasants' claims are framed by 'what is promised' by the land reform program and 'what is actually experienced' by the peasants (Franco, 2001:1). Similarly, for both the organizations, land occupation and self-installation are perceived to sustain their position in the area. These strategies also maintain their motivation to press the government to act in favour of their claims, such as in the coverage and redistribution of the How estate to SAMFAI members and the full installation of the beneficiaries in the awarded lands in the case of KMPCI. Apparently, with these strategies, they were able to have relative access to the land and therefore some temporary gains, at least in terms of some income and food from crop production.

Moreover, another strategy used by the farmers (as the peasant initiatives do not stand on their own), is the coordination with other UNORKA organizations from different parts of the country and alliance with other peasant groups and concerned institutions. They link with provincial and or national federations or broader alliances of PO's and NGO's, local and even international; political groups; church people; academe and support individual activists. The combined engagement with and actions in the DAR and other concerned agencies, at a minimum, helps to clarify the demands and the situation of the farmers on the ground and the agrarian agency's processes. The media and legal tactics are also utilized to mount pressure and build public support for the farmers' cause. Cell phones were also employed to inform and mobilize organization members.<sup>161</sup> As KMPCI leader emphasized,

*During our self-installation, by using the cell phone, we were able to inform and mobilize the members in case of harassments and the like. Sometimes we also pretend that we are calling somebody, for example from the media, to scare them (the guards) off.*<sup>162</sup>

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<sup>161</sup> Interview with Emily and Warded and Not

<sup>162</sup> Interview with Ema, 2013



An UNORKA male leader also claimed that women officers are ‘more receptive and diplomatic’, and they positively impact the case resolutions during the dialogues. Meanwhile if the leaders are always ‘confrontational’, the officials delay the land reform process even more and create tension between parties in the dialogue.<sup>163</sup> He also expressed that a greater knowledge of their rights informed the peasants’ level of assertiveness in dialogues and their political assertions and that these multi-pronged strategies and tactics are required to pressure the authorities.

Like many cases of land rights claims, the two organizations here are confronted with various forms of harassment, violence and even death. In the case of SAMFAI, members experience physical assault, with guns being pointed at them, and they also usually get scared of when guards do rounds in their shanties day and night. They also experienced having their crops destroyed, destruction of crops, and lastly being criminalized. As family members of the beneficiaries or supposed beneficiaries join the land occupation or self-installation efforts, the ordeal is eventually viewed as a family struggle, and all members become alert and feel that their lives are in danger. As Ka Iska shared,

*For us it is important, to make the group stronger and united to prevent harassments and violence. We, the women, face and talk to the guards of the hacienda in group. Sometimes the guards engage with us and listen to our explanations of our rights on land.*<sup>164</sup>

Hence, regardless of gender, peasants were united in advancing land redistribution which is usually led by women. Nevertheless, the organizations do not allow their leaders to talk or negotiate with the guards by themselves alone, but with other members accompanying them. Ka Iska pointed out,

*In case the guards enter the area and harassments take place, women surrounded the guards to prevent harassment and violence. All the members and their families, from children to old men and women, know their roles in protecting the group.*<sup>165</sup>

In the latter sections, these gender roles are analysed in relation to the main findings and arguments of this research.

SAMFAI also reported the harassments or threats from the guard or the “*katiwald*” - the landowners’ manager in the area- to the *barangay* or the police station, emphasizing that this is done to make them aware that the farmers will fight diplomatically.<sup>166</sup> However, harassment persists:

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<sup>163</sup> Interview with Eque, July 2010

<sup>164</sup> Interview with Iska et al., July 2010 and 2013

<sup>165</sup> Ibid

<sup>166</sup> Ibid



*The farmers are approached by the guards and pointed at with guns many times. We just advised them not to reason out negatively, as the guards have arms and we do not have, to avoid conflict... Recently, a guard was killed, during the fiesta in May 17, the organization was the suspect. We are not criminals. They are passing here [in the area] one by one but nothing had happened to them... The guard was mobbed by the local people—around 30 people. Now, we are the suspect—five of the SAMFAI members were criminally charged. We need to guard ourselves again.*<sup>167</sup>

In December 2012, gunshots were fired by the guards to again threaten the members. However, it is claimed that it did not scare them off and instead, all the members converge (or in the local term, *nag-iipun-ipon*), whenever there are threats in the area.<sup>168</sup> As another member stated, ‘even if the harassments continue, we will not leave the area. Our livelihood is here. We will persevere in our farming’.<sup>169</sup>

Nonetheless, the occupant farmers still fear for their lives,

*The “goons” and guards are armed. The only instruments we have are our unity, our organization and, the laws that protect our rights.*<sup>170</sup>

In my latest conversation with the president of the organization in July and October 2019, I found that the same threats and harassment persist. As she shared,

*We experience the same threats and harassments in the area. Other members are not even able to plant because of grave harassment.*

Furthermore, in both cases, many of the members became inactive out of fear, especially of being killed. In the case of SAMFAI, some of the members have been inactive since their former President, Ka Bito, was murdered. Nonetheless, they still show their support by attending meetings and by showing up in the area when conflict arises. However, they do not plant or cultivate crops nor live in the area to not risk their lives. On the other hand, those inside the *hacienda* claim,

*While still alive, we will remain inside the hacienda. We do it in a nice negotiation with the guards.*<sup>171</sup>

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<sup>167</sup> Ibid

<sup>168</sup> Ibid

<sup>169</sup> Interview with EC, 2013

<sup>170</sup> Interview with Iska et al., July 2010/2013

<sup>171</sup> Interview with Altí 1, Altí 2 and Altí 3, 2013

The local initiatives were combined with actions at the national level by continued engagement at both the national and local DAR. Parallel to this, they also lobbied with the church groups and legislature, and launched campaigns to make the public aware of their plight.<sup>172</sup> One example was their participation in the *Lakbayan* that was earlier mentioned in the previous chapter.

The KMPCI members, despite legal ownership of the land since 2006, also experienced criminalization, harassment, and threats. They were charged with qualified theft because of self-installation in the awarded land, and members inside the “compound” or the hacienda were restricted from going out and coming into the area. All the KMPCI members were dismissed from the work in the hacienda and they therefore must walk for hours to work in other farms. Even worse, the members’ lives are threatened. For example, Jose Banca was murdered in 2008 and an attempted murder of another active member, Rene Asong, took place on 10 March 2010. During an interview, he described his experience:

*The guards came and I was shot... by the private guard. I was fortunate that he missed out. I was able to evade the bullet. He was stopped by the agency guard... There was a warrant [for his arrest], but he escaped. The agency guard has talked to the blue guard, but he denied it and afterwards he left the hacienda.*<sup>173</sup>

The case filed through Atty. Dinopol has yet to be resolved and the assailant remains at large.

In sum, the experiences of both cases allow us to understand the following points: first, that peasant contestations to land reform, in the context of impending land redistribution such as in the provinces of Masbate and Iloilo, require peasant women’s and men’s (even their children’s) organized mobilizations and actions. Second, the peasants pursuit of justice requires them to use and combine different strategies such as bibingka strategy (Borras 1998), rightful resistance (O’Brien 1996) and national coordination and alliance work to defend themselves against the everyday violence that they encounter from the landowners and to advance their agrarian claims, which is usually led by peasant women. Third, the finding suggests that even in the case of already awarded lands, as KMPCI members’ experienced, the struggle to have actual access to and control over the land is similarly very long and challenging and requires persistent actions from the farmer beneficiaries. The findings also suggest that negligence within and amongst the agrarian officials is likely, as in the case of SAMFAI, which may result to land redistribution failure. The study found that while the local officials (municipal and provincial officers) have

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<sup>172</sup> Interview with Celeng and Beling, July 2010/2013

<sup>173</sup> Interview with Rening, 2013

represented the interest of the farmers, their efforts could be wasted if the higher level (regional and national) officials lack political will or are negligent. This also resonates with Bello et.al's claim on the agency's lack of political will to implement the program and the agency's high level of incapacity and inefficiency (2014:110). Nevertheless, the redistribution of 200 hectares to the farmers is already long overdue, given the 2007 and 2008 decisions and given the impeded joint venture agreement. Meanwhile, it is striking (in the context of this research) that women are on the frontlines in peasants' land struggles and strategies such as land occupation and self-installation. In the following section, this will be discussed and analysed.

## 6.3 Women's agency: On the frontlines

### 6.3.1 Introduction

As discussed in the previous section, women in both organizations are often on the frontlines of the land struggles, which demonstrate that women are not only active agents of land claims but are also leaders, unlike in the past where women were not in any leadership position and were not even given equal regard as discussed in Chapter 5. This subsection therefore answers the following questions: Why did women play the frontline roles in their land struggles? What do women gain from this?

### 6.3.2 Why take the frontline roles and lead?

Both men and women participants in this research claim that women are more 'calm', 'diplomatic' and 'have the capacity to negotiate compared to men' (FGD, KMPCI and SAMFAI men, 2013). And it was pointed out that,

*Women usually will find ways and creativities ('magbahanap ng kiliti/paraan') to avoid confrontations or to become more effective especially during the negotiations.*<sup>174</sup>

Evidence shows that women taking the frontline roles is agreed upon, as KMPCI men and women interview participants testified:

*It was agreed by the group that women would be on the frontline and men at the back... it is difficult if something happens. Jose Banca was killed—stabbed. More of this will happen if men will lead.*<sup>175</sup>

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<sup>174</sup> Interview with Dong, Roy, Arnel and Undo, July 2010 and 2013

<sup>175</sup> Interview with Efung, 2013

*The women represent us in meetings... [there are] many more women than men, as they have more knowledge. They are the frontlines because men are hot headed.*<sup>176</sup>

*Most women were involved in the land occupation and ran towards the mountain and stayed at the camp, then went to Manila...if not for the women, maybe our claims would be over already, because they are the ones who pursue... maybe if not for women, there would be confrontations already; there will be fighting and even killing.*<sup>177</sup>

These narratives suggest not only the belief about women's persistence, knowledge, and diplomacy in contrast to men's 'hot-headedness' and inclination to violence, but at the same time the belief that having women on the frontlines can reduce the incidence of violence, especially the fear against killings. This could be understood as a gendered understanding of women and men's roles in the current land struggles.

Moreover, the participants also claim that often, the blue guards<sup>178</sup> respect women and do not harm them, which therefore leads to the protection of the rest of the group members. It is a common narrative among the two organizations that the blue guards, who are all men, hesitate in acting brutally and violently when engaging with women. Women are not seen as a threat. This resonates to Henning's study in Cambodia (2019). It was also emphasized that,

*The peasant women are not afraid to be assertive, especially when they already know their rights.*<sup>179</sup>

They also believe that 'the women can use laws that protect them against harassment' and could resort to the law to charge harassment cases<sup>180</sup>. The peasants often refer to the anti-violence against women and children law that protects women and children against violence, and they believe that they can use this to protect them against violence.

On the contrary, the participants claim that men stir conflict,

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<sup>176</sup> Interview with Turing, 2013

<sup>177</sup> Interview with Len, 2013

<sup>178</sup> The farmers, not only in these cases but in general, refer to the landowners' guards as 'blue guards'.

<sup>179</sup> Interview with Beling and Celeng 2010

<sup>180</sup> Interview with Ka Betty 2010 and 2013 interviews

*If the men will be at the forefront of negotiations, even at the very start confrontations will arise due to the agitation of men; hence, hindering the negotiation with authorities.*<sup>181</sup>

Meanwhile, many of the SAMFAI women, many of them also bring *bolos*<sup>182</sup> or machetes whenever the blue guards are harassing them in the area. As they claim, it is to show that they are ready to fight. However, they also pointed out that they usually just talk and negotiate with the guards, and patiently explain to them their cause:

*If there is harassment, the women negotiate, because if men will, conflict may happen. We also bring bolos. But if the guards report us, they say we are armed, but we don't have guns. We just talk to them nicely. If they [the guards] are angry, all the women gather themselves. The men are not allowed to get near. Men are sent to hide but they are ready.*<sup>183</sup>

*Women lead. We do not want our husbands to get into trouble and we can be diplomatic. It is indeed women. If men will be gone, it will be difficult for us. We do not want them to get into trouble. The men hide behind the women.*<sup>184</sup>

These statements reveal that peasants prefer to utilize women's diplomacy skills in effectively confronting harassment and advancing their claims. The male members are in the background to avoid confrontations and violence such as killings, but they are prepared to fight when necessary.

*Women on the frontlines are effective; women are the negotiators and it effectively decreases the tensions between the farmers and the landowners' guards'*<sup>185</sup>.

*Since women took on the frontlines there has been no bloodshed.*<sup>186</sup>

It was also emphasized that negotiation is preferable,

*We prefer negotiation over confrontation. We prefer to just continue farming and tilling the lands and to avoid confrontation with the guards and further violence*<sup>187</sup>.

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<sup>181</sup> Interview with Eque and Roy, July 2010, 2013

<sup>182</sup> *Bolo* or also known as *itak* is a tagalog term for machete.

<sup>183</sup> Interview with Irat and Irat 2, 2013

<sup>184</sup> Interview with Alti 1, Alti 2 and Alti 3, 2013

<sup>185</sup> FGD KMPCI men 2013

<sup>186</sup> FGD SAMFAI men, 2013

<sup>187</sup> Ibid

The groups' fear of violence and even killings of their men are not baseless as they both have directly experienced.<sup>188</sup> For both SAMFAI and KMPCI, killings were mainly directed at men, as in the case of Ka Bito Yusi, former SAMFAI president, who was shot dead in front of his family and colleagues in July 2008, and of Ka Muting of KMPCI in 2009. Another example is the attempted murder of Rene Asong of KMPCI in 2010. Men are generally the targets of physical violence. During my fieldwork in 2013 in SAMFAI area, there were also two incidents of guards beating the son of a SAMFAI member.

These experiences, however, are not isolated but common in many parts of the county. For example, from 2000 to 2006, UNORKA listed nine of their leaders, all men, from different parts of the country who were killed<sup>189</sup> (Unorka report 2006:19). This reflects that most, if not all, of the land reform-related killings and harassments are gendered, and mostly the violence is directed at men.

This is not to claim, however, that women are exempted from physical violence or even killings during land resistance. For example, Thelma Padios, a 62-year-old woman member of the Federation of Sicogon Fisherfolk and Farmers Association, previously also affiliated to UNORKA, was brutally murdered while gathering cogon-grass on November 26, 2008. The group is fighting for the 334 hectares of the Sarosa property covered by CARP with 200 residents of the island listed as beneficiaries.<sup>190</sup> In my interview with Lirio Cordova in 2013, the Executive Director of Progreso, Inc., an Iloilo-based NGO organized by PEACE, she noted,

*The killing of Kaka Thelma was very brutal. She was found in the middle of cogon area. Nobody noticed the killing.*

This incident of a woman being killed and linked to the land struggle is perhaps an isolated case, but a proof nonetheless that women can also be

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<sup>188</sup> Ibid

<sup>189</sup> "For the great contributions of UNORKA leaders who have shared their lives and shed blood for the sake of struggle... Danilo Felipe who died last August 2000 at Gimba, Nueva Ecija; Junnie Gaylan, La Carlota City, Negros Occidental last March 2003; Dominador Morales, Panabo, Davao Norte, January 6, 2003; Alex Aquino, Bulacan, 2004; Herman Barria, Bulusan, Iloilo, July 23, 2005; Vicente Denila, Tanjya, negros Oriental, March 27, 2006; Jimmy Mirafuentes, Albay, April 2006; Lito Bayudan, Bongabon, Nueva Ecija, May 6, 2006; Eric Cabanit, Panabo City, April 24, 2006." (Unorka 4<sup>th</sup> National Congress report (2006:19).

<sup>190</sup> See Martin, S. and E. Danao (2008) <<http://www.manilatimes.net/national/2008/dec/17/yehey/metro/200081217met3.html>>

subjected to land-related violence. In addition, women can also be subjected to criminalization in agrarian cases, such as “forcible entry” and “theft” charges lodged against KMPCI members and the two women community organizers in 2006 and 2008. Meanwhile, all criminal cases against SAMFAI members were directed at males.

In sum, the study found that the agrarian struggles and contestations in the country, such as the two experiences of the two organizations in this study, are gendered, where peasant men are often targets of physical violence. Arguably, this has become one of the reasons why women take the frontline roles in the land struggles, which is believed to mitigate the violence in a patriarchal context in which these struggles are fought. The findings also show that women’s leadership is taking place in the highly gendered agrarian structure with assumptions about men and women’s differentiated capabilities, knowledge, courage, and creativity. Paradoxically, in contrast from the past when men were mostly believed to be the leaders as shown in the historical discussion in Chapter 5, peasant women are taking leadership positions in land struggles. Women are gaining respect and recognition from their male partners and colleagues. However, we have yet to know if their leadership and frontline roles in the land struggles led to the recognition and representation or assertion of their equal rights to land.

### 6.3.3 Women’s land rights (non)assertions and (non)recognition

It is logical to assume that since women are taking over leadership in peasant organizations, their equal rights to land will be equally recognized and represented or asserted. This study, however, found otherwise. The findings show that the peasants’ focus is the immediate land redistribution and access to land. As they have narrated,

*What is important for us is to have land. We wish the DAR will immediately distribute the land. Until now, however, we are still fighting for our rights. We go back and forth to the agrarian agency but until now nothing happens. We went back and forth at the national and local agrarian. There is no solution until now.*<sup>191</sup>

*What we really ask for is our immediate installation. It was already more than six years since the CLOA was awarded to us but until now we are not getting the land awarded to us. All promises.*<sup>192</sup>

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<sup>191</sup> Interview with KE, 2013

<sup>192</sup> FGD with KMPCI, 2013



These narratives show the peasants clamour for land access and control and their disappointments with the DAR's inaction.

When asked why they are not collectively asserting for equal land rights, most of the women said they have no knowledge of their equal rights to land provided by agrarian law and policy. At the time of the interviews, most of them were still unaware of the possibility for them to have equal land rights. When told about the law and the agrarian policy that provides women the opportunity to become co-owners or as individual titleholders, the respondents commented that this is preferable and advantageous for them.<sup>193</sup> They said,

*Having the land named after men and women will prevent men from selling the land and will equally benefit women.*<sup>194</sup>

*It was a pity, if only our land was named after the both of us perhaps my husband will not be able to sell the land. What can I do? I tried to leave him because of that but what can I do? After some months I came back. Now we do not have the farm. It is difficult without land. You remain a labourer.*<sup>195</sup>

What the peasants know about, however, is the traditional definition of who qualifies as agrarian beneficiary,

*According to DAR there will only one beneficiary per household. That is what we know. If women can also be an agrarian beneficiary that is better.*<sup>196</sup>

These narratives suggest, therefore, that having knowledge regarding women's rights is necessary for peasant women to be able to assert their claims to equality in land rights. This resonates with Deere and Leon's finding that lack of knowledge is a major constraint in Latin American women's inclusion to land titling program (2001:447, see also Deere and Leon, 1987).

Furthermore, these also suggest that peasant women may prefer having land in their own names or as co-owners if only they are aware of the possibility and would therefore most likely demand for it along with their land redistribution claims. Moreover, this also seems to suggest that the agrarian agency has failed to inform the peasants on the possibility of peasant women to have equal rights to land. This failure in disseminating information on women's equal rights to land especially amongst the farmers seems to be the fundamental problem in advancing equality in land rights. Similar with Latin

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<sup>193</sup> For example, interview with EF and Not, 2013

<sup>194</sup> Interview with Ora, Masa, Mae and Leny, 2013

<sup>195</sup> Interview with a woman farmer in Negros Occidental, 2010

<sup>196</sup> FGD with KMPCI, 2013; Interview with ET 2013

America, the information dissemination on women's land rights under the law in the Philippines was almost non-existent (Ibid).

Furthermore, it is also found that a conjugal property such as land is commonly believed to equally benefit both couples. It is therefore assumed that titling the land to the husband is not a problem. The Municipal Agrarian Reform Officer in Iloilo, for example, reiterated this point in an interview,

*The title awarded to beneficiaries becomes a conjugal property of both husband and wife. Hence, there is no problem if it is named after the husband. They will both have benefits. It is a household property.*

Several peasant men and women also believe the same,

*Whether the land is named after the husband or wife the land is a conjugal property. It is the same.*<sup>197</sup>

While this belief is partly true, it is only half of the story. As earlier discussed, the male bias in the law and its legal ramifications do not match with this common belief. It can be argued, therefore, that women's non-assertion of their land rights is influenced by the gendered agrarian structure where norms and beliefs are biased towards males and serve to subjugate women. This is exacerbated by the lack of knowledge on the legality of women's equal rights to land.

The study found, however, that women also gained a lot from becoming leaders in their organizations and in the land struggles. The peasant women (and men) have highlighted their relative gains, particularly the development of their knowledge and skills that relatively shifted some gendered attitudes and perceptions, and the access to land and livelihood through their land occupation and self-installation, amongst others.

#### *Gaining knowledge and skills and (un)changing attitudes and perceptions*

The knowledge on and awareness of their agrarian rights is the primary weapon of peasant women and men to assert and claim their land rights. This is not new, especially in the Philippine context, where peasants use their knowledge on the agrarian law to fight for their rights (see for example Borras 1998). In fact, for community organizers of PEACE, as I previously was, the first step to organize the peasants is to let them know about the existing agrarian reform law, in which their rights are guaranteed. Similarly, as O'Brien pointed out, the knowledge and awareness that the peasants attain influences their resolve to organize themselves and collectively assert their rights and resort to rightful resistance (O'Brien, 1998). As found in the interviews, the

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<sup>197</sup> Interview with EC, 2013

assertions, ‘We became aware of the program (CARP) for the poor’, ‘We have the right according to the law’ and ‘We do not have land, we wanted to have a piece of land for our livelihood’ are common narratives among the (near) landless peasant men and women participants for this study.

Specifically, for women, leading the organizations have developed their knowledge, capacity, and skills. The leaders of both organizations claimed that the opportunity to engage with the government officials, church people, legislative members, and judges, among others, both at the national and local levels, build their confidence. It develops their confidence in terms of negotiation, claim-making, and leading their organizations, amongst others. One leader for example explained her experience,

*Before we do not have the experience to get out from our barangay. All of us are just here, working in the plantation and then we got back home. That was our daily routine. Because of our land struggles we are able to experience going to Manila. I never expected to ride an airplane in my life. Then we can talk to the big people like the agrarian officials, the bishops, the Congressmen...It was really a big opportunity for me, for many of us. I feel proud. It builds up our confidence. Because of our organization we are united to fight for our rights.<sup>198</sup>*

Another leader explained,

*We must continue our fight. You know, I only finished grade four. I do not believe I can have the confidence to face big personalities. However, as a leader of the organization, I must represent our case. In the agrarian agency and different agencies, media, and big people.<sup>199</sup>*

Gaining and asserting their leadership skills, and building trust through their leadership, further develops the leaders’ confidence to lead.<sup>200</sup>

Other participants of this study also shared the same experience and point of view. National and local organization leaders have claimed that the activeness of female leaders makes them continuously develop and increase their knowledge, capacity, and skills, which in the process empowers them more. One leader shared,

*Since my involvement in the organization and since being a leader, I decided that I must be confident. As leaders we must be confident. My involvement in the*

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<sup>198</sup> Interview with ET, 2013

<sup>199</sup> Interview with KE, 2013

<sup>200</sup> Interview with Warded and Not’s leaders, 2013

*organization developed my confidence. I feel empowered. I even ran for the local election. I did not win but I will join again next time if God's willing.*<sup>201</sup>

Another leader also shared her experience,

*Being in the land struggles, we must be resilient. Each one of us in the organization, in KP and Unorka, if we support each other, we become stronger. We build each other's confidence. We, in Mindoro, we keep our fight. Now, we are in land occupation in one area. We just must continue fighting*<sup>202</sup>.

The exposure they get and the unity from the movement has inspired them to keep their fight.

By leading their organizations, women's networks also expand, and they also learn about other related concerns such as organic farming, climate change, and other pertinent societal issues. For example, as Belinda Formanes<sup>203</sup> stated,

*After the typhoon Yolanda, support was given to SAMFAI members. We give them lamps and other stuff to support. And in Iloilo, there is an ongoing organic farming collaboration with KMPC.*

In sum, the two cases here and other experiences of women leaders in other provinces show the increased knowledge and skills in organization and leadership amongst peasant women and the increasing recognition of women's ability to lead the organization and peasant struggles. It also leads to women's increased confidence and empowerment. This is a significant development, since in the past, women had no opportunity to take on leadership positions because they were not seen as capable compared to men (as discussed in Chapter 5). In this study, in contrast, it is evident that even men admit to and laud women's lead roles in their organizations. As most organization members, including men, claim, 'If not for the women, perhaps our fight would already be over.'<sup>204</sup> Women's active roles and leadership in the organizations and in the land struggles, however, do not necessarily include

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<sup>201</sup> Interview with CE, 2013. CE is a woman leader-organizer in the province of Tarlac. She is the leader of their municipal organization, Samahan ng Magsasaka ng Moncada, Tarlac.

<sup>202</sup> Interview with KL, 2013. KL is a woman leader, the President of their organization in San Jose City, Mindoro.

<sup>203</sup> Ms. Belinda Formanes is the Executive Director of the Climate Change Conference of the Philippines, an organization that focuses on climate change issues and rural development that facilitates linkage of peasants and rural organizations with church key leaders and government agencies such as the DAR and DENR amongst others.

<sup>204</sup> Interview with Warded and Not's members, 2013

their equal assertion and demands for equal land entitlement. It can also be argued, therefore, that women's leadership in land struggles may not necessarily mean the questioning of gendered norms and practices that subjugate their strategic gender interests. Hence, it is important to look at the agrarian gender structure, such as gender stereotypes related to household head and conjugal property definitions, which influence or reinforce gender inequality in the agrarian process.

*Access to land and establishing livelihood*

Another gain that has been highlighted in the interviews is the relative access to land and livelihood. Peasant women and men are proud of what they have gained through their land occupation and self-installation. It was also pointed out that,

*One way of protecting the group and having the stronghold to the area is by tilling the soil and by cultivating the land by all the members and their families, which also give us some income and secure our food.*<sup>205</sup>

For KMPCI members, their first installation on the 8-hectare lands led to the production of rice and vegetable crops, amongst others. One participant shared that a hectare of land yields an average of 40 sacks of *palay*<sup>206</sup> for one harvest. On average, this totals to P20,000 (400 Euros) for P500 per sack. The production capital totals to P16,000 (see Table 1.10). The rest of the work is not monetized since in most cases family members do the labour on the land. Subtracting this production cost gives her P4,000 net income per harvest or P12,000 (approximately 240 Euros) net income based on three crops per year. The amount of harvests per year depends on the location and size of the area and access to water sources.<sup>207</sup>

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<sup>205</sup> Interview with Iska, 2013

<sup>206</sup> *Palay* is the Filipino term for rice grain.

<sup>207</sup> Interview with Nay, 2013

**Table 11:** Palay production on one hectare of land<sup>208</sup>

Activities	Costs	Total (in Euro)
Harrowing	5,000	100
Fertilizer/Pesticide	4,000	80
Weeding	3,000	60
Howling and threshing	4,000	70
Total	16,000	310

Source: interviews (\* 1 euro equals P50)

This shows that rice production alone gives the farmers less income as the production costs are high. However, some research participants expressed that having their own production on a piece of land is more advantageous and preferable compared to being a sugar plantation worker. One advantage is that they do not have to buy *rice*—a staple food product—anymore. One participant explained,

*For a quarter hectare of land, we no longer need to buy rice, as the first crop yields 28 sacks less the expenses of the farmers, the only expenses being the fertilizers and pesticides. The second crop also yields 28 sacks. The third crop yields ten sacks. And the consumption is four sacks of palay per month.*<sup>209</sup>

Her family of six consumes 48 sacks of *palay* per year, which means that their rice consumables are already covered by the 66 sacks they produce, and they could have an excess of 14 sacks to sell. The combined harvests already cover nearly their entire required rice supply for a year, which, for them is far more beneficial than being sugarcane workers who are dependent on low wages.<sup>210</sup>

Sugarcane workers under the “*pakyaw* system”<sup>211</sup> at the period of interviews in 2013, earn lower wages ranging from P50 to P200 (or 1-3 Euros) per day, depending on the kind of work done, which was claimed to become prevalent in the plantations. For example, *karga-tapas* - a local term for

<sup>208</sup> Most of the agricultural activities illustrated in Table 11 are often conducted by family members to lessen the costs of production.

<sup>209</sup> Interview with Fendez, 2013

<sup>210</sup> Ibid

<sup>211</sup> The *pakyaw* system is a system where work in the farm such as in the sugarcane, coconut, and rice areas, are paid by hectareage. In effect, the workers are not paid by daily wage but a certain amount for the whole area, for example, a hectare of sugarcane for harvests. As explained above, with this system, the workers are paid lesser than a regular wage worker.

loading-cutting- workers are paid P90 (less than 2 Euros) per tonne. One truckload of sugarcane equals to 10 tonnes or 100,000 kilos, which require a group of 5-6 workers that gives them P900 or P150 per worker for a day's labour. The loading is done by men only. Often the trucks reach up to 10 feet high and since they have to move fast to reach the 10 tonnes per day quota and for them to get a wage of P150 (more or less 3 Euros), they get into accidents, especially when it rains as the stairs become slippery. In many instances, they are also injured or bruised because of the sharpness of the sugarcane. During that period the official minimum wage in the region for agricultural plantation workers was P255 (5 Euros).<sup>212</sup>

They also pointed out that they are not paid daily but only twice a month. Hence, for their daily needs, particularly for rice<sup>213</sup>, they are often dependent on the *casa*<sup>214</sup> (for the regular workers in the *hacienda*) or they incur debts from the stores in the barangay. Canecutters are paid P50 (1 Euro) for 10,000 pieces of cane while weeding is paid P1,500 (30 Euros) for 10 days of labour on a hectare depending on the extent of grass. For example, labourers noted that,

*...everything is already "pakyaw". For example, fertilizer application yields P600 per hectare; done by around 20 persons on three hectares of land, this yields P1,800 in total, amounting to P90 per person, for a labour from 06:00 in the morning to noon. Weeding yields P800 per hectare for 2-3 hectares, amounting to P1,660 for 20 persons, which is about P83 each. Cutting is P3 per bundle (30 pieces); women produce 30 bundles per half a day and men 50 bundles, which means about P90 per person for half a day's labour. The planting of 2000 pieces of sugarcane equals to P200 for half a day's labour.*<sup>215</sup>

In most cases, the workers' wages range from P120-130 per day (approximately 2-2.5 Euros). Apart from the low wage, there is also no guarantee of work for each day. Regular workers, like those who work for the Valderama estate, are working five days a week for P170 per day, which gives them roughly P3400 per month (or approximately 60 Euros). As Gie shared,

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<sup>212</sup> See, Minimum Wage Order No. RTWPB VI-19 – ILO, <https://www.ilo.org/dyn/travail/docs/1180/Minimum%20Wage%20Order%20No.%20RTWPB%20VI-19%20-%20Region%20VI.pdf>

<sup>213</sup> In 2013, the average retail price of well milled rice was P35.20/kg. See, <<https://psa.gov.ph/sites/default/files/CerPrSitMayWeek12013.pdf>>.

<sup>214</sup> *Casa* is a term used by the sugarworkers referring to a particular place in the hacienda, owned by the landowner, where they could access credit such as rice or money.

<sup>215</sup> Interview with Dito, Issa and Baba, 2013.



*The wage in the hacienda is P170 per day, if we resort to “pakyaw”—like the application of fertilizer, spraying, cutting, weeding... for example, fertilizer application is P340 per hectare. Twenty people work together for 4 hectares a day, which yields P1,360 in total or P68 per person...*<sup>216</sup>

This means that regular workers in the *hacienda* are now also paid based on *pakyaw system*. However, they expect benefits such as the SSS, Pag-ibig, and Philhealth.<sup>217</sup> When asked whether the company’s contribution for the benefits is remitted, nobody is sure, but they expect to receive them, nonetheless. They believe so as most of the retired workers are already receiving pension payments. With the change to *pakyaw system*, however, these benefits may have also been affected. Nonetheless, they still expect to receive these possible “benefits” as Ely said,

*Even though we are labourers, we receive complete benefits, including SSS, Pag-ibig, and Philhealth. Almost all the elders have already been receiving their pensions of between P1,200 and P,1700 (or 24-34 Euro) per month.*<sup>218</sup>

She also pointed out that this is also why she did not claim her land rights despite being included in the CLOA. For her, what is important is that she and her husband have regular work, and are assured of daily wages and benefits, including her access to credit like rice or some amount of money in case of an emergency. The regular workers of the hacienda Valderama receive benefits irrespective of gender. However, the wages are gender-based. Women receive P150 per day (3 Euros) while men receive P170 (3.20 Euros). On the other hand, small planters where KMPCI members work do not provide benefits, although there is also no distinction between men and women’s wages.<sup>219</sup>

The KMPCI members, however, are now predicting that upon full access and control to the awarded land, they could either opt to produce *palay* or *tubo*.<sup>220</sup> Producing *tubo* costs less than producing *palay*. For example, in the experience of Fendez who has rented a hectare of land, a yield of around 33-

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<sup>216</sup> Interview with Gie, 2013

<sup>217</sup> SSS or Social Security System is a state institution that requires a mandatory contribution from private employees, together with mandatory contributions from employers, to assure pension during employees’ retirement. Philhealth on the other hand, is a health insurance institution which supports part of the health care costs in case of hospitalization. Meanwhile, Pag-ibig fund is an institution which enables its members to maximize government-subsidized housing mortgage loans.

<sup>218</sup> Interview with Ely, 2013, also Dibau 1 and Dibau 2, 2013

<sup>219</sup> FGD, KMPCI women 2013

<sup>220</sup> *Tubo* is a Filipino term for sugarcane.

34 tonnes or three trucks of *tubo* brought about a gross income of P100,000 (2,000 Euros) in 2009. However, in 2010 it dropped to only P54,000 (1,080 Euros), because ‘when imported sugar enters the country, the price of sugar goes down. Now, refined sugar costs P45, while in the past it was P60. Brown sugar costs P34-35.’<sup>221</sup> She further explained that the expenses incurred during the planting and harvesting phase total to P30,000<sup>222</sup> and yield a net income of P24,000. It was evident for her and many of them that sugarcane production is more advantageous than rice production in terms of income:

*If I had land, I would go for sugarcane production, because it is less costly. In five years, you do not have to plant anymore. You can produce up to five times.*<sup>223</sup>

Earning at least P24,000 (480 Euros) per hectare of land per year for *tubo* production, or P72,000 (1,440 Euros) for three hectares, is evidently more beneficial in comparison to the P40,800 (816 Euros) wages that a regular worker receives for a year’s work. Moreover, having land could also give them the opportunity to have multiple crop production including vegetables, root crops and more, that could provide them with even more income and food security at the same time. With technology and support services, farmers could diversify production. Hence, they project that having land will give them the possibility of a greater income and will also mean having security of residence, which most KMPCI members do not have during the interview.

In the case of SAMFAI, most members produce corn as they consider it a staple food. They shared that in 1.5 hectares of land they could produce up to 30 sacks of corn or 20 sacks of corn rice—without destruction from the cows and depending on the area. In rocky areas, they can only produce four sacks of processed corn. Moreover, there are no expenses in corn production since the family does the work and because the area is fertile which makes fertilizers unnecessary. They also pointed out,

*All the corn we produce is for our private consumption. It gives us food and relatively secures our consumption.*<sup>224</sup>

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<sup>221</sup> Interview with Fendez, 2013

<sup>222</sup> Roughly, during the interview in 2013, the planting expenses include fertilizers, (15 bags of sulphato P 700; urea P1,140, triple P1,200), spray (P1,200) and weeding (P2,100) that costs to a total of P15,000. And during the harvest - tapas/karga – (P420/ton x 33 tons is equal to P13,860) and P 600 for the truck driver, costs them an overall total of P30,000 (600 Euros).

<sup>223</sup> Interview with Liri, Presi and Deli, 2013

<sup>224</sup> Interview with Lean 1 and Lean 2, 2013

However, they complain that the hacienda cows are destructive, and the farmers have difficulty stopping them from eating their crops. One participant explained,

*In six years, they were able to produce only 30 sacks of corn because our crops were eaten; destroyed by cows. Just few days ago our sweet potato, cassava and onion crops were again destroyed by the cows.*<sup>225</sup>

In general, however, SAMFAI are thankful for having access to land as they can plant, which gives them the opportunity to eat three times a day, unlike in the past. As most of them shared: *'sang una pirming lugaw'* (In the past it was always (eating) pongee).<sup>226</sup> Often there was no food because they were relying mainly on fishing in the sea but since the province is located in the typhoon belt: *'nasa sabitan ang kaldero'* ('The pans are hanging').<sup>227</sup> They shared that they experienced hunger in the past and usually they eat less than needed—*'konti ang kain – hati-hati ang pamilya – anak muna saka nanay at tatay.'* (We ate less – dividing it among the family – prioritizing the children and then the mother and father).<sup>228</sup> Poverty is rampant, as they earn very little as workers in the *casa* or *hacienda*. As research participants recalled,

*In the 1990s one could only earn P25 a day (or .50 Euro cents) and this increased to P100 (or almost two Euros) by the early 2000s. It was pakyaw system to get the coconut down from the tree.*<sup>229</sup>

*The whole barangay – only three hectares in size and the rest is hacienda that paid little wages for the workers from the barangay – faced poverty since most of the people can only depend on fishing for their livelihood.*<sup>230</sup> *The high level of poverty pushed many people to go to Manila to secure other sources of income.*<sup>231</sup>

Most of the women also became housemaids by the age of fifteen.

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<sup>225</sup> Interview with Altí 1, Altí 2 and Altí 3, 2013

<sup>226</sup> Interview with Ces, Noli and Ric, 2013. Pongee means a small amount of rice cooked with a lot of water and salt. Which means that they can barely afford rice and they are often hungry.

<sup>227</sup> Interview with Riba 1 and Riba 2, 2013. Which means that they have nothing to cook.

<sup>228</sup> Interview with Ome, 2013

<sup>229</sup> Interview with Caly, 2013

<sup>230</sup> FGD, SAMFAI men, 2013

<sup>231</sup> Interview with Ome, 2013

At present, the access to the *hacienda* and producing food out of it is considered more beneficial. Hence, most of them, through their land occupation were relatively able to secure food:

*It has been a very big help. If we did not come here, we would be hungry. For example, now the price of rice is very high: P110. Now we do not have a problem with accessing corn rice, we only must look for viand and other expenses. One gantang<sup>232</sup> is for two meals—both lunch and dinner. For breakfast, we have coconut.<sup>233</sup>*

A couple CLOA holder shared their experience and views,

*Life became better. In the past, I was a housemaid in Manila. Here, in the past, I had to gather guavas and eat once per day. I could not even taste coffee. Rather, we ate the leaves of avocado, or burned rice, and the children swam in the sea to catch fish. Now we can have what we want. [I can] buy a motorbike... in the past we had money only for rice. The children could not attend school. Now the grandchildren can go to college.<sup>234</sup>*

They also integrate crop production such as sweet potato, cassava, and numerous vegetables. They sell some of their produce and some are shared with others who have no plants. But mostly, these are for their private consumption. Hence, at the very least, they do not have a problem with access to food anymore:

*It is a big benefit for the people, corn, vegetables...in the past there was no production or harvest. It was difficult. Now life is better. The everyday needs are no longer a problem.<sup>235</sup>*

*It is better. The members were able to produce. Those who plant are better off—no more white eyes. We could plant corn, vegetables, bananas... could sell it and could buy soap. Our lives are better...the eyes are bright, and the tummies have fattened a bit.<sup>236</sup>*

The caretaker of the hacienda, however, has been deliberately letting the cows in the hacienda to eat their crops. Hence, they produce less than what is possible. To mitigate this problem, some of them are planting crops that are not attractive to the cows:

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<sup>232</sup> *Gantang* is a local term to express the weight of rice (or grains), which is measured not by the weighing scale but a specific local measuring tool.

<sup>233</sup> Interview with Ora, Masa, Mae, and Leny, 2013

<sup>234</sup> Interview with Nessy 1 and Nessy 2, 2013

<sup>235</sup> Interview with Edel, 2013

<sup>236</sup> Interview with Ome, 2013

*We are planting crops that are not eaten by cows, like ginger, bitter melon, and pumpkin. The enemies are not only humans, but also cows.*<sup>237</sup>

One family shared that by growing onions and other crops, they earn approximately P2,800 a month or around P11,200 a year for cultivating less than a hectare of land. With that earning, they are now able to build their own house—something that is a big relief for them since in the past they had to live with relatives.<sup>238</sup> Some of them were able to buy livestock like buffalo that they use for farming from the income they get from swine raising.<sup>239</sup>

These findings show that in general, the SAMFAI members are able to at least alleviate their poverty especially their lack of access to food through their land occupation. Their experiences of poverty motivated them to exercise their agency to fight for land redistribution.

A KMPCI youth explained his view about the advantage of having land:

*CARP is beneficial...we could do what we want to in the future. Sacrifices come first before the fruits are plucked... it is better to have our own land, because what you plant is yours, and you could plant as much as you want in order to secure an income...and there will be food. It will not disappear. The children will benefit as well. We could have money. If you own land, all the income is yours, unlike when you are a labourer or a wage earner only... you could also build a house on your own land. If you do not own a land, you could be evicted anytime. Renovating the house is also limited and you could not have access to electricity too.*<sup>240</sup>

This statement summarizes the reasons behind peasant's active mobilization to claim their land rights regardless of how violent it may become. They believe that they can be rightful owners of a piece of land through CARP, and that having a piece of land of their own will make their lives better. However, since the land reform is not serving their interests, they must make sacrifices and persevere in their actions and mobilizations, to be able to win the battle and acquire their land rights.

In sum, it is found that for both groups the relative access to land through their land occupation and self-installation gives them some form of livelihood and food security. This strategy helps them evade hunger and poverty, through some income and food from the crops they produce on the land they can now access, despite the threat of violence. This is most especially true in

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<sup>237</sup> Interview with Arme, EF and FD, 2013

<sup>238</sup> Interview with Alti 1, Alti 2 and Alti 3, 2013

<sup>239</sup> Interview with Ome, 2013

<sup>240</sup> FGD KMPCI youth 2013

the case of SAMFAI, as compared to KMPCI, whose members have already obtained land entitlements and are now finally installed in most of the land that they are fighting for. Meanwhile, it is also important to understand women's roles in decision-making when households earn income.

#### 6.3.4 Household income and decision-making dynamics

Understanding the gender dynamics in generating household income and decision-making in the agrarian communities is crucial in understanding the gender relations vis-à-vis land rights concerns. Studies in the Philippines have already shown women's strong role in generating household income and in decision-making. For example, Rutten (1982) noted women's control and management of the household income in a hacienda plantation in and beyond Negros Occidental. Illo (1994) also pointed out that while within and outside the household men tend to hold the authority and power, women have their own areas of authority especially in children's education and household budget. Yet, "Among the rural households the women's decision-making power is almost non-existent as there is very little chance for the children to stay in school or very little earnings to be included in the budget...there are too few opportunities for sharing power and too little decision to be made..." (1994:14). The two cases here reflect this situation where survival is the central concern; thus, men and women's decisions evolve on survival mode, impacting gender dynamics and gender inequality.

Rutten's findings in Negros Occidental (1982) and Illo's study (1994), claimed that both men and women have power in making decisions. Participants in this study claim that,

*Usually, the decisions such as income are from both husband and wife. This is to avoid conflict. If this is not the case, there will be conflict. Pinag-iiristoryanan an desisyon (We talk about the matter).<sup>241</sup>*

To avoid conflict in most instances, the couple talks about the matter and together comes up with a decision. In other cases, it is also claimed that whoever has a better idea will be supported by the partner (see also Eder, 2015). Most of the men also did not claim that they should be followed by their wives just because they are considered the heads of the family. In a focus group discussion with men, it was pointed out,

*When it comes to decisions, we talked about it. The husband and wife usually talk about the matter. It is important because otherwise there will be conflict between a couple.<sup>242</sup>*

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<sup>241</sup> Interview with SAMFAI couples, 2013

<sup>242</sup> FGD with SAMFAI men, 2013

These suggest, therefore that, in terms of decision-making, there is a strong recognition of parity between male and female peasants, and it also seems to suggest changes in the perception of men towards women. It is important to note however, that there are still instances wherein men's decisions are followed and where the belief that men are the "head of the family" or "they know more" remains. For example, one female participant explained about her decision of not claiming her land right,

*Researcher: Why did you not apply in agrarian?*

*Participant: I did not apply because my husband does not want it. He does not like the conflict. It is risky.*

*Researcher: But then you lose your opportunity to have land?*

*Participant: Yes. But, to avoid conflict I followed my husband.* <sup>243</sup>

Submission to a husband's decision can also happen in other matters. For example, another interview participant was asked about her decision on the number of her children, as she has twelve children. She replied that 'I cannot do anything, my husband liked it.' <sup>244</sup>

These reveal that men still dominate the household and women follow and do not necessarily contradict men's decisions. Interestingly, some women also claim that if there are problems, men will most likely raise the issue while women find the solutions, 'It is still women who find ways. If they do not, nothing will happen.' 'Men problematize, they stare at a distance, but do not come up with solutions.' <sup>245</sup> This seems to coincide with Rutten's findings (1982) that making ends meet in the hacienda households is primarily a responsibility of women.

This also resonates with PKKK findings (cited from CSI research), noting that 60% of 1,194 respondents exercise sole decision-making in their households on food preparation but "under conditions of marginal access to resources and services. Despite the primary role in the food security of the family, only one-third of the respondents has access to production services; less than a tenth has access to seeds, calamity assistance, training and extension services; and less than a tenth has access to production capital. Among the top aspirations of the respondents was to provide at least three meals a day for their families." <sup>246</sup> Following these findings and similar to what has

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<sup>243</sup> Interview with Kapatid, 2013

<sup>244</sup> Interview with MA, 2013

<sup>245</sup> Interview with Meling, AB and MB

<sup>246</sup> In PKKK Proposals (no date:1-8).



been found in this study, women's relatively strong decision-making position in the household also tends to burden them with the responsibility of finding solutions to their household problems, especially to ensure the survival of the household. Their decision-making position does not also guarantee them access to production services, training, and capital.

Angeles (2001) pointed out that men's masculinity is restrained and bound to gender role expectations and the family value of intimacy and peace, which is complemented by Filipino women's "perfection of the use of indirect power strategies" (2001:15). These strategies are "non-confrontational argumentation and negotiation, control over the family budget, and their emotional hold and disciplinary influence over their children..." (Ibid). "The role of Filipino women within the family is so important that they are called *"ilaw ng tabanan"* (light of home), or jokingly referred to by husbands as their "boss" or *"kumander"* (commander)." (Ibid). Indeed, these associations may indicate Filipino women's strong position in the household and most likely because women act as household managers and control the household income. At the same time, however, this also assumes that women will resort to strategies that will keep the harmony and peace within the household and find ways to augment the income or even become the breadwinner.

Chant's study (1997) in three locations in Visayas region found that, "It is quite common for women to finance men's personal indulgences and or recreational activities from their own earnings." (1997:12, cited from Chant and McIlwaine 1995). Yet, despite high indication, there is low incidence of women being the household head. "The gender relations in the Philippines are such that men continue the privileged access to power, resources and social entitlements even when they have no employment and or contribute little to household welfare." (Ibid). A study in Pacol, Naga, found that men's income does not even cover food and household basic needs while women's income covers 60-70 percent of the household earnings (Hill, 2011:239). The urban-biased development model characterized by lack of investment in agriculture, the continuous landlordism, and the rising inflation, has left out the poor rural men (Ibid:235-237). Hence, hegemonic masculinity, where men are in a pedestal of gender relations, is put into question but, women maintain the appearance of normative gender relations by "downplaying their income contributions", "concealing their earnings from their husband" or "hiding money", considered as tactic to make claims and responsibilities of men (Ibid:242).

The decline of wage work such as in construction, mining, and transportation industries put men's employment at odds while women's services and informal work become more in demand, which in effect causes them to

exchange gender roles. However, women's assimilation in the labour market and their ability to combine it with mothering and housework had caused some men's animosity (Angeles, 2001:15). "There is no reason to expect that old forms of masculinities may erode, decline or decompose automatically because of market forces and women's economic independence from men. What we may see in fact are even more destabilizing and destructive expressions of masculinities as a way of men's reassertion of their former place in society." (Ibid:16).

These studies suggest that regardless of the surge of women's participation in the labour force (i.e. to the extent of becoming the main breadwinner of the family for various reasons), or given changing roles between men and women, men remain dominant in the household. As in cases of peasant women here, the gendered stereotypes and norms in agrarian process represented in essentialized and naturalized gender relations may not necessarily change. Therefore, men's masculinity may not necessarily wear away, as Angeles pointed out (2001) nor deplete men's privileges in power, resources, and entitlement, as Chant argued (1997). Women themselves, maintain the normative gender relations by being complicit in the maintenance of men's dominant status, despite gaining relative economic power due to labour integration, and in this case, despite their leadership positions in land struggles.

In conclusion, Filipino women have relative power and authority in decision-making and even have more economic power in the household compared to women in other countries, but this does not erase the fact that Filipino women (and men) are still bound to naturalized gender relations where men are on a pedestal and women are subordinated. Hence, regardless of women's productivity and activism, women's equal land rights are not advanced, such as the cases in this study show. Women are still seen as primarily responsible for the reproductive role that connotes their subordination to men and make them less privileged in terms of access to power, resources, and social entitlement, as Chant (1997) pointed out. It can be, therefore, a disservice to women to glorify their relative power such as in decision-making, without being critical of how this relative power remains marginal especially in relation to other concerns such as land entitlement, wage differential, public governance, gender division of labour and in light of the persistent cases of violence against women in the country.

### **6.3.5 Violence against women (VAW)**

Studies have already shown that a lack of access to resources such as land or lack of bargaining power often constrains women from fleeing abusive relationships and or lack of bargaining power (see for example Agarwal 1994,

Deere 2003, and also World Development Report, 2012), therefore suggesting that enhancing women's control over resources such as land is key against VAW. In this study, however, the relation between land entitlement and VAW is not explored, but some findings are initially discussed here as examples arose during the interviews. Moreover, I acknowledge that land justice in relation to VAW is key in attaining gender justice (see for example, Agarwal, 1994, Hughes, A. and A. Richardson, 2015), which therefore requires deeper exploration and further analysis. This is clearly an important future research endeavour.

In 2016, the Philippine Commission on Women's (PCW) statistics<sup>247</sup> pointed out that one in five women aged 15-49 has experienced physical violence since age 15. However, the number of reported cases is very limited. The number of VAW cases reported to the Philippine National Police (PNP) is 40,536 cases or 13 percent higher than the 2015 reported cases of 35,897. Within a thirteen-year period, from 2004 to 2016, the reported cases in the category of RA 9262<sup>248</sup> is the highest at 158,353 or 68.9%, followed by physical injury at 28,731 cases or 18.7 percent until 2014; and rape cases accounted at 7.5 percent or 11,498 cases of total reported VAW cases from 2004 to 2014. In Region 6 (Western Visayas), 3,866 (9.5%) VAW cases are reported in Iloilo, 3,437 (8.5%) in Negros Island Region and in Region 5 (Bicol Region), where Masbate is located, 3,192 cases or 7.9 percent are reported. It is also pointed out that in 2013, only 30 percent of those physically or sexually abused have asked for assistance while 27 percent never asked for help but told someone and 38% never asked nor told anyone about the abuse.

In the two cases here, there are also cases of VAW that are not necessarily reported to the police or women's desks. One participant, for example, explained,

*I already decided to separate with my husband and return to my parents. It happened after I was almost killed by my husband. I left him then and come back here to my parents' house. It's been a year now.*

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<sup>247</sup> See Philippine Commission on Women statistics (2016) <<https://pcw.gov.ph/statistics/201405/statistics-violence-against-filipino-women>>.

<sup>248</sup> Republic Act 9262 otherwise known as Anti-Violence Against Women and Their Children (VAWC) Act of 2004 penalizes abusive husbands and live-in partners.

The other one stays with her husband. She claimed that the abuse has already stopped because her two big sons threatened their father. Her claim, however, was countered by the neighbours in separate interviews,

*She is still abused by her husband. But it is difficult for us to intervene because the husband may retaliate. We talk to her anyway, encouraging her to report to the police.*<sup>249</sup>

In the police and DSWD's accounts and records, VAW incidents occur in the *barangays* but do not even total to ten reported incidents.<sup>250</sup> Interviewed policewomen desks officers and DSWD said that,

*In most cases, incidents of abuse are likely to remain unreported due to threats from the husband, threat to be left by the husband, especially while the children are still small which may cause economic challenges for them, or because of "love" or "pity" for the husband.*<sup>251</sup>

It was also noted by the DAR officers, for example, by Ms. Ojaldon<sup>252</sup>, that several VAW cases are not always documented. Moreover, reported incidents are not necessarily pursued. As the two policewomen's desks officers pointed out, "no reported case has led to prosecution of the abusers". In most instances, the female victim would withdraw the case and "reconcile" with the husband. The violence then repeats itself and becomes cyclical. In their records, many of the reported incidents are within the same household, yet the cases are never pursued.<sup>253</sup> This finding shows that VAW is still prevalent in peasant households and in the country.

It is also found, however, that there is a huge positive change in terms of knowledge of and perceptions regarding VAW at the community level. Interestingly, all research participants are aware that violence against women and children is now punishable by law<sup>254</sup>. This is striking and can be viewed as a

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<sup>249</sup> Interview with MA and ET, 2013

<sup>250</sup> Interview with Warded and Not, 2013

<sup>251</sup> Interview with police officers and DSWD officer, 2013

<sup>252</sup> Ms. C. Ojaldon is the Planning Monitoring Unit head of DAR Region 6.

<sup>253</sup> Interview with policewomen's desks officers in the provinces of Iloilo and Masbate, 2013

<sup>254</sup> Under the RA 9262, VAW refers to "any act or a series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had a sexual or dating relationship, or with whom he has a

success, at least in terms of public awareness and the information dissemination on women's (and children's) rights against violence. Research participants pointed out that they were made aware of their rights either through television, the radio, the Department of Social Work and Development (DSWD), the *barangay*, or through the organizations they belong to. Awareness of the law makes men more cautious knowing that they may end up in jail. There are also indications of breaking the silence among women, '...I will fight. There is a law. That is why I have the courage'.<sup>255</sup> One participant also claimed that her husband was sent away from the area by the SAMFAI president after her husband punched her. She now claims that she is living in the area with her children in peace.<sup>256</sup> This suggests that support from an organization or woman leader, another woman or a family member can aid the victim's decision to flee from violence. To some degree, parallel to knowledge, the active leadership of women influences and changes perceptions of and on women's rights and decisions.

Yet not all of them have the courage to do so yet. For example, the perception that incidents of abuse against women, like "*pambubogbog*" (punching) is a 'family matter'. As one veteran woman community organizer stated, "even if we are aware of abuse of women in the community, we do not intervene"<sup>257</sup>, for the same reason. This is another problem when gender lens is not part of development work. The leaders of the two organizations, however, help explain to the victim their rights and help them to report the incident to the *barangay* or police.<sup>258</sup> The organizations involved in land struggles, therefore, can have a relative influence on other pressing women's issues and concerns, like violence against women.

In sum, the findings show that cases of violence against women in agrarian communities persist, and the active promotion of the law results to higher reports of incidents of abuse. Importantly, the active role of women in the organization and political actions lead to an on-going shift in the recognition

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common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment, or arbitrary deprivation of liberty."

See, [www.lawphil.net](http://www.lawphil.net)

<sup>255</sup> Interview with Ica and Ely, 2013

<sup>256</sup> Interview with Cita and Mare, 2013

<sup>257</sup> Interview with LF of TFM, 2013

<sup>258</sup> FGD KMPCI, 2013

of women's rights against violence. It shows some indication that the conscious efforts of women leaders against the abuse of women may possibly help the victim to get out of abusive relationships. These initiatives and changes merit further inquiry as it is beyond the scope of this research and yet is crucial to gender justice, as mentioned above. It is also important to examine the extent of women's retractions on filed cases and the reasons behind them. Another concern worthy of further research is the extent of the impact of the legal reform in advancing women's rights against VAW in the peasant sector, in comparison to other sectors.

Overall, the findings show that the peasant women's agency, being on the frontlines of the agrarian struggles, is informed and influenced by gendered agrarian struggles, where women (and men) are both embedded within a violent land redistribution process and within a society biased to males. The finding suggests that women's frontline roles have mitigated and continue to mitigate agrarian violence that are especially directed to men. However, this does not necessarily address women's strategic gender interests. Women do not necessarily become critical of their subordination in terms of privileges and resource or land entitlement allocation. It is also found, however, that this position is informed by the continuation of gender stereotypes in the land reform processes and the male-biased notion of conjugal property tagging men as the household heads and therefore the agrarian beneficiaries. The lack of knowledge on the possibility of women's equal land entitlement individually or through co-ownership is also a key factor to women's non-assertion or representation of their land rights. However, the peasant women leadership and frontline roles in the land struggles indicate some change in gender orthodoxy. The build-up of women's confidence, knowledge and skills in organization, leadership, negotiation, and networking, amongst others, as well as the relative questioning of violence against women, are all indications of the gradual breakaway from patriarchy which could lead towards women's empowerment.

#### **6.4 Gendered agrarian contestation: a continuum of non-recognition and non-assertion of women's equal rights**

Many studies on agrarian movement and land grab show the increasing gendered or even female-led land contestations and resistance to land dispossession. However, women may not necessarily simultaneously assert gender equality, and may even reinforce and perpetuate gender disparities instead of empowering and strengthening women and their agency (Morgan 2017, Lamb et.al. 2017, Hennings 2019). This section therefore examines why women's leadership in the peasant land struggle does not necessarily lead to

the recognition and representation or collective assertion of women's equal rights to land.

#### 6.4.1 Women's participation and representation in land struggles

The cases of KMPCI and SAMFAI show that women become leaders and take frontline roles in agrarian struggles but do not necessarily become keen on collectively asserting their land rights. However, their experiences are not isolated, as shown by other empirical experiences. In Cambodia, for instance, women's participation in land protests "perpetuate gender disparities instead of strengthening female agency...or opening up political space for women" and "perpetuates the perception of women as the second sex and contradicts the female agency" (Hennings, 2019:3). Because of the belief that women's contestation is non-violent and considered less risky, women 'are pushed by the NGOs' (mostly led by men) on the frontlines of land protests and are encouraged to use emotions 'to express their suffering verbally or through crying', 'to fight with words including angry speech' or in some cases by 'capitalizing on their bodies' through breasts exposure (Ibid:1,4&6).

The argument on women's protests as 'less risky' is manifested by KMPCI and SAMFAI's experiences. However, while Cambodian women use emotions through crying, yelling or exposing their breasts (see also Rangan and Gilmartin (2002) in the case of South Africa), KMPCI and SAMFAI women, meanwhile did not use the strategies of 'emotionalization' but became the front liners in land occupation and self-installation. They do the negotiations for their land claims with the state officials (agrarian officials, military, or local government officials) and through confrontations with the blue guards or peasants that are pro-landowners. For example, as SAMFAI members shared,

*Women surround the guards whenever they come to the area (the occupied land) in their attempts to push us away from the area or when a member or members of the organizations are being harassed.*<sup>259</sup>

Women confront the guards with the assumption that they will not ignite violence as men,

*Women lead so that there will be no killings, to prevent it... the guards stop when the women lead. They are afraid, they cannot fire... The men members are prepared but they do not show up, they are hiding nearby to avoid bloodshed. Ever since, there has been no bloodshed.*<sup>260</sup>

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<sup>259</sup> Interview with KE and Biya, 2013

<sup>260</sup> Interview with Betty, 2013



These suggest that women's leadership and frontline roles mitigate violence. It can be argued, therefore, that the assumption of women as 'less risky' works and can be and is indeed used to prevent violence.

The men, however, are also prepared. As one SAMFAI male leader, for example said,

*We are somewhere that they [the guard] could not see us but where we see and know what is going on and ready to do something if they attack.*<sup>261</sup>

The same is claimed by KMPCI participants, women negotiate with the guards, while men are supporting from behind.

Hence, compared to Cambodia (Hennings, 2019:5), land contestation in the country is not only 'women's work' but the work of both peasant women and men. The two cases here demonstrate that their land struggles are fought through organized efforts of women and men and even their children, with women recognized as leaders and on the frontlines mitigating the violence. This is a significant development in the country compared to the experiences of Filipino women in the earlier decades as discussed in Chapter 5. Moreover, this also resonates with Rao's conceptualization of agency that are rather based on sharing rather than independence or opposites (2017:45).

This is not to claim, however, that peasant women are not at risk. As Hennings pointed out, the risks to women's lives taking the lead in the struggles cannot be overlooked nor its mitigation be overrated because female land defenders also face harassment, direct violence, and detention (Ibid:11). This will be discussed further later.

Despite women's leadership and activism, however, women may not necessarily advance an organized demand for women's equal rights in land. Similarly, in Cambodia, Hennings found that female activism has failed to challenge the subordination of women (Ibid:3, see also Lamb et.al 2017). The same is true for Indonesia (Morgan 2017). A study of Maya indigenous groups in Central America and Mexico by an indigenous feminist Irma Otzoy (2008) also found that the harmony and complementarity between men and women's efforts may not necessarily advance women's rights,

*While indigenous men and women need to combine their efforts to survive in a world that oppresses them socially, culturally, economically, and politically, their efforts often complement each other in unequal proportions for the good of the family, community, or couple, and this inequality often comes at the expense of women's rights. (2008:178).*

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<sup>261</sup> Interview with SVP, 2013

As also found in this study, these pieces of evidence show that while indeed men and women often combine their efforts against class oppression or redistributive injustice for the good of the family, community, or country, it is often at the expense of women. The issue of gender relations in land concerns is often left out but it is crucial to fill this gap. This research posits that if the contention of the movement, the agrarian agency or scholarships do not extend beyond the questions of land redistribution, the subordination of women and unequal gender relations in land reform will remain invisible and will not be understood and taken into consideration.

It is therefore crucial to simultaneously address women's subordination to men and to avert from dichotomizing gender and class, which Fraser's justice approach offers.

#### ***6.4.2 Why peasant women's agency does not necessarily invoke women's strategic gender interests or equal land rights?***

The study shows that peasant struggles are more focused on land redistribution or their practical gender needs and does not necessarily question women's subordination in the land redistribution process. Hence, to understand the reasons for women's non-assertion and the persistence of non-recognition of women's land rights, it is important to see and understand what obstructs them from asserting their rights and strategic gender interests.

An earlier study already pointed out that women's involvement and leadership in rural politics does not guarantee the advancement of gendered interests (Razavi 2003). Outside the Philippines, various studies found that the non-recognition and even non-assertion of women's rights persists for various reasons: the lack of political space for women; women's lack of knowledge, illiteracy or the perceived lack of capability; negative attitudes towards women's political participation; and women's lack of access to and control over resources such as land, amongst others (Agarwal 1994, Deere, 2003, Hennings, 2019, Lamb et.al 2017, Morgan, 2017).

Morgan (2017) found in Indonesia that the lack of political space for women is an important constraint for women's equal rights as public and formal space is only provided to men while women are only included in informal settings (2017:1189 & 1190). Apart from this, women's participation is hampered by household responsibilities; their perceived incapability; and disapproval from or obedience to their husbands (Ibid). In Cambodia, women perceived limited capacities, knowledge, and education as the main barriers to equality (Hennings, 2017:10, see also Lamb et.al 2017). These barriers are also evident in studies found in South Asia (Agarwal 1994) and Latin America (Deere 2017, 2003, Deere and Leon, 2001). On the contrary, a high

degree of political education and consciousness-raising, for example, in the experience of the Zapatista women in Chiapas, Mexico, had increased women's assertion of their rights, altered the acceptability of domestic violence, and increased their public voices.<sup>262</sup>

The cases of SAMFAI and KMPCI also illustrate various constraints on their equal land rights. Similarly, the lack of knowledge on their equal rights to land entitlement as already provided by agrarian law remains a constraint. Apart from this, however, there are key structural and institutional barriers. These include: the notion on household head as the basis for agrarian beneficiaries, which is reinforced by gender stereotypes such as the belief on equal benefits of conjugal property (which, in general stems from being uncritical of women's subordination).

The peasants in general are unaware of the policy and law that support their equal rights to land. Apparently, the same lack of awareness was also found among many local DAR officers. This is crucial as the agency is supposed to be the one to, at the very least, disseminate information on women's land rights to the agrarian communities. It is no surprise then that agrarian communities have no knowledge of their right to equal land entitlement. Meanwhile, the conventional identification of males as household head and therefore as agrarian beneficiaries, is also crucial, as it becomes a key barrier to peasant women's equal land rights.

### *Household as agrarian beneficiaries*

One obvious implication of retaining the household as basis for land entitlement is that it almost automatically considers men as land beneficiaries (for example, Leonard et.al 2015, see also Agarwal 1994, Morgan 2017, Hennings 2019, Lamb et.al 2017). The cases of peasant women here also illustrate women's exclusion from equal land rights based on this assumption. For example, in an interview, a leader of KMPCI illustrates<sup>263</sup>,

*Researcher: I can see in the CLOA that you are included. While mostly are men, why are you and the other women included in the title?*

*Participant: It is because my husband was not a worker from the Valderama's. He works for the other hacienda. That is why I can apply. The women that are included in the CLOA are either because our husbands are not workers from the hacienda Valderama or because they are widowed.*

*Researcher: And the other women, why are they not included?*

*Participant: Because according to the DAR only one person per household can apply.*

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<sup>262</sup> See Law, V. (2019).

<sup>263</sup> Interview with ET, 2013

This reflects that what peasants know is that only one person per household can apply for the agrarian land, which, more often are directed to men. Unless the man or husband is absent or is not a worker in the area, as in the case of some KMPCI women, most likely the wife cannot apply. This perspective is in connection to the assumption and conventional notion of males as ‘household heads’, the ‘farmers’, and therefore the rightful ‘agrarian beneficiaries’, which deprive women of their rights. This exclusion also often implies women’s exclusion from credit facilities, trainings, cooperative membership, and other public service, amongst others. Leonard et.al. (2015:x) for example, shows that in three cooperatives in Mindanao, 80-95 percent of the cooperative members are men because they are the land reform beneficiaries due to their permanent work in the plantations.

The exclusion of women, as discussed in Chapter 2, is often associated with the notion of gender division of labour, which assumes that within households, men are responsible for productive work and women for reproductive work. On the contrary, especially in the cases of peasants, this binary is problematic as the KMPCI and SAMFAI women have showed. Earlier studies have already established the same point (see for example, Rutten, 1982, Blanc-Szanton, 1990, Prill-Brett, 2012). Recent study in banana plantations also showed that women are in the production processing and for smallholders “both female and male outgrowers do the tasks in soil preparation, plant and fruit caring” (Leonard et.al., 2015: xi, 49).

Similarly, the two cases here show that labour wages alone, which, give them approximately three euros per day, can barely sustain a household of six, the average rural household number in the country. Hence, household members help each other. Women are equally obliged to be productive and even children need to work at young age. Most sugarcane workers started to work on the plantation when they were young, sometimes starting at the age of nine years. While most of them claim that it was only to earn some extra money to support their education (hence, children would only work during the weekends), it is found here that most of them, especially the relatively older generations, have only finished or reached grade school. This means that after getting some elementary education, most of them, upon reaching approximately the age of ten to thirteen, already work full time in the plantations (see also Rutten, 1982:116 and Carner, 1982:373). The same was found in the coconut area. At a young age, children already help their parents in hacienda work, although they are not necessarily paid as sugarcane workers. Furthermore, if the parents are tenants in the hacienda, the remuneration is monthly based on their work overseeing a portion of the hacienda

and the work of hired seasonal labourers that do the harvesting, hauling, husking, and drying the coconuts and accounting the coconut trees and all other crops they planted (see Carner, 1982:372).

Moreover, many of the KMPCI and SAMFAI women recalled that at the age of 14 or 15, they experienced and opted to go to the nearby cities or to Manila to become housekeepers. They did this both to evade the extremely difficult farm labour and to gain income to support their family and alleviate their poverty. Women in coconut areas also picked fruits in the hacienda and sold it to earn some income. For now, some girls and boys have the option to be employed in the shops in town or elsewhere, especially those with at least a high school diploma. The kin or village support system and network is also an important factor for household survival (see also Rutten, 1982 and Carner, 1982).

This suggests that the livelihood of poor, landless peasant households is not reliant solely on men's work nor on farm wages alone, since on top of low wages the work is also seasonal. Hence, landless peasant households most likely combine farm work with off farm work like house help, selling or trading, carpentry, fishing, etc. (see also Rutten, 1982, Hill, 2011). The need to venture to other sources of income is also the case even for those who own a piece of land. For example, a study of farming and fishing areas in Palawan, another province in the Philippines, found that women have a critical role or even lead role in 'economic innovation and household income diversification' (Eder, 2006:412-413). The farming or income from farming work is not enough to provide for families' needs, especially if one wants to send their children to college, as in the case of my parents. It is a myth, and it is unrealistic and unfair, therefore, to attribute peasant household's productivity only to men.

The gender-based division of plantation labour also has negative implications on women. An earlier study in hacienda Milagros in Negros Occidental illustrated the gender-based division of labour in the plantation,

*Women do the major operations related to planting: they prepare the cane-points..., plant them by hand, and apply fertilizer. Besides, they cut cane points and weed by trowel, which is also done by men. Work is further divided by age and strength. Children (girls and boys younger than fifteen years) only cut cane points and weed by trowel. Young, strong women usually cut or plant cane-points. Pregnant women and older women apply fertilizer, which is less arduous work. All women participate in weeding. Strong men do the heaviest work of cutting and loading the cane, while older and weaker men cut cane points and engage in cultivation work. (Rutten, 1982:75)*

This detailed illustration of work in the sugar plantation is generally the same in the case of KMPCI, although, at the time of the research fieldwork, it is pointed out that the cane can regrow up to three or five times in five years. It is also found that women, like men, also do the harvesting and cutting of canes. The only task that women do not is the loading of the canes in the trucks, which are often expected to be done by/delegated to men. This indicates the gender stereotypes in the farm labour as also earlier noted by Rutten,

*Both women and men consider heavy work more fit for men and lighter work more fit for women. It seems that there are fewer social restrictions on women participating in men's work than on men engaging in women's work. Men who would participate in work done only by women would be laughed at, which they would regard as an attack on their amor propio (self-esteem). Women, on the other hand, would elicit some respect and pity among workers if they engaged in men's work (Ibid: 77).*

This segregation of tasks based on gender stereotype in farm labour such as 'heavy' work to men and 'lighter' work to women, is important as it often becomes the basis of wage allocation or differentiation and often implies hierarchical consideration of men and women such as in land entitlement. Critical questions can therefore be asked, for instance, why work or tasks viewed as 'women only' work (described in Rutten: 1982:76) are 'laughed at' or considered as 'an attack to men's self-esteem' when done by men? Why are women's work considered 'lighter' when they also do tasks such as planting, cutting canes<sup>264</sup>, weeding, harvesting, threshing etc., which is equally considered backbreaking? Why is it that the same work done by men and women, as found in this study, are paid differently, often in favour of men?

The recent national data (PSA 2016) noted the disparity of wages between men and women, over the period of 2012-2016, from six to eight percent lower for females in all farms, while the Labor Force Survey in 2006 to 2009 found that males average wages are 13 to 18 percent higher than females' (Briones 2018:7-8, citing Valientes 2015). In rice production, despite the equivalence of male and female labour (chemical application, weeding and planting), the wages for female work are significantly lower with differences

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<sup>264</sup> In Rutten's findings in hacienda Milagros, Negros Occidental (1982:75-85) women were not involved in the harvesting-cutting of the sugarcane but cutting canepoints. Cutting the canepoints involved taking the cut cane stalk and chopping them into small parts to be used for planting. She also detailed that while generally in the province women earn less, in this hacienda women were paid the same daily wages as men. However, the women's rates on piecework were often paid less than men (Ibid:88-89).



ranging from 13-20 percent. In corn and coconut areas, the gender wage gap is about 20 to 25 percent and 28 percent in the sugarcane areas (Ibid:18-19).

These findings suggest that peasant men and women (also boys and girls) are involved in both agricultural and non-agricultural activities to earn an income for household survival. Yet, the income and roles of the farmworkers may still be gender differentiated favouring men and men remain considered as breadwinner and household heads despite women's critical roles. This persistent social construction is therefore problematic as it often subordinates women, in land entitlement, equal wages, and space for political participation etc.

The equation of women to reproductive work also displaces or becomes a reason for men to evade the said type of work, which may be less problematic if indeed women are not involved in productive work but only manage the household. Meanwhile, men's participation in reproductive work are often exaggerated. In the two cases here, for example, many men and women claimed that household chores are considered to be 'shared tasks'. It was revealed, however, that, women mainly do the housework. The reproductive work here refers to housework, including the raising and taking care of children. This suggests the importance of understanding the extent of 'shared' reproductive work between men and women in poor landless households.

Rutten (1982) described household work and childrearing and care: women mainly do the cooking (two to three times a day), the washing of the clothes (almost daily), the household purchases (twice a week) and the cleaning which is gradually taken over by the daughters once they grow older. The fetching of water and gathering of firewood are mainly done by men with the help of or their sons (but the sons take over this task when they grow older). Small babies are mainly cared for by the mothers and as soon as the elder daughter is already grown-up, childcare is delegated to her (or the elder son if there is no daughter), usually around the age of 11 to 14 years old. Sometimes, the baby ends up under the care of the unemployed mother or mother-in-law. Men also look after the children after their work or when they do not have work (1982:111-117).

The above mentioned are true for both SAMFAI and KMPCI. However, it is also found that men do 'share' in the child-caring duties, but only when the wife or mother is ill, is doing other household chores, or is away. In the case of sugarcane workers, since most if not all husbands and wives are employed, whoever gets home earlier is the one who does the cooking. The mothers are primarily responsible in childcare and rearing. In many cases, as soon as the small children can already be left under the care of the elder sister



or sibling or grandmothers, the mothers return to work to earn income.<sup>265</sup> Once home after work, the mothers take over the chores.

Peasant women leaders themselves, regardless of their production labour and leadership in the land struggles, do not necessarily expect from nor assert to their husbands the division of household tasks. As one sugarcane worker and organization leader pointed out:

*Cooking is of course done by women; only sometimes by the men if the wife is not around... when it comes to the household, it is still the women [that do the work]. The men when tired really feel the tiredness, but the women, even when they are tired, they just do the work so that there will be no conflict. It is more difficult if there is nothing to cook.*<sup>266</sup>

Women in both cases, indicate that mainly the women are primary responsible in the reproduction work. This suggests, therefore, that while it is claimed that household tasks are ‘shared’, the household work is generally done by and expected to be performed by women regardless of their productive role and even active roles in their organizations.

Interestingly, some male participants of this research were vocal and perceived the difficulty of household tasks and the need to divide them between household members. This is interesting, because generally in the past, if men do household work, they would be considered ‘*under de saya*’ or ‘*Andres*’, which means “dominated” by the wife or will be laughed at as also indicated by Rutten (1982:77). Most likely, then, many men will refuse to do or be associated with household tasks because of this derogatory association. I was expecting that in my conversation with men the same opinion and assertion would come up, but to my surprise, no male participants claimed that household work is only meant to be done by women. One male participant has even opined the importance of the husband’s share in household work,

*Housework is a hard work. I do not let my wife do the housework alone. It is important that we help each other. I also realized it when I attended a training about men and women sponsored by the barangay. Indeed, the housework is endless. That is why it is important to help.*<sup>267</sup>

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<sup>265</sup> Interview with Ireng and Itang, 2013

<sup>266</sup> Interview with Meling, AB and MB, 2013

This suggests the male participant's changing perspective on housework upon attending a gender training, and upon being part of the barangay government, making him realize the importance of housework sharing. During the interview with this participant, his wife is drying palay grains right in front of us, on the ground in front of their house.

Based on these accounts and observations, it can be argued that there is already an on-going shift and positive change regarding the perceptions and the mind-sets especially of men about household tasks. It also seems to suggest that with women asserting themselves, the household tasks can be realistically shared rather than still mainly expected to be done by women.

The household therefore is an important site of analysis in agrarian concern, as it is a site of agricultural production, household labour, social reproduction, and exclusion of women such as in land redistribution. This also suggests that without looking at the women's position and even their agency beyond the land redistribution lens, the constraints such as the assumption on household head as basis for identifying agrarian beneficiary will not be considered problematic. It is argued here, therefore, that locating women's subordination in peasants' land struggles is crucial to understand such constraints, otherwise gender injustice will not be traceable as Fraser (2009) pointed out.

On the contrary, with the recognition of women, this could mean that all KMPCI couples, will either be beneficiaries on their own right or at least considered as co-owners of their husbands, considering the consistency of women's work in the hacienda since their childhood. Therefore, instead of the present 15 women beneficiaries (five of them are widows and some of them because their husbands are farmworkers outside of Valderama or because they have absentee husbands), most of the KMPCI women, if not all, could at least be explicitly titled as co-owners of their husbands. It could also avoid exclusion because of lack of documents, as in the case of nanay Juanita.

Nanay Juanita is in her late 70's and was previously a farmworker in hacienda Valderama since her teenage years. Together with other members of KMPCI, she is not allowed to work now in the hacienda because of her active participation in agrarian claims. She was excluded from the list of beneficiaries because she was not able to present the document required by the DAR. However, she remains very active as one of the KMPCI women front liners. Despite her age, she still works in various farms seven days a week, as she is taking care of her three orphaned grandchildren. She is however optimistic that through KMPCI, as the organization members have agreed, she will have

a portion of land to till within the awarded land as full installation proceeds, because she is active in the organization's land struggles.

In sum, land equality is constrained by persistent patriarchal assumptions and cultural and institutional limitations or inactions. This section therefore suggests that understanding the constraints on women's equal land rights is fundamental to strengthen peasant women's demand for land equality, not only from the peasants but more crucially from the agrarian agents such as the DAR.

## 6.5 Summary and Conclusion

This chapter argued that the influence of patriarchy on land struggles continuously evolves in the Philippine context. While some defiance against patriarchal norms is evident (i.e. women's leadership and frontline roles in land struggles and the legal support on women's land rights), women's agency towards gender strategic needs, however, remains lacking.

This chapter showed the continuing struggles of peasant men and women for land rights brought about by the government's historical failure to fully implement the agrarian program. The latter is exacerbated by landlords' violent defiance against land redistribution. These all, in turn, exacerbate the persistent lack of recognition and representation of women's land rights despite women's leadership in the land struggle. The recognition and representation of women's equal land rights is hindered by patriarchal social structures and cause the persistence of gender injustice.

The collective efforts of peasant men and women, including their families, and with women as leaders have been proven essential to advance land redistribution and justice claim. However, despite women's active or frontline roles and leadership in land struggles, the simultaneous advancement of women's equal land rights and gender equality is not explicitly demanded by the organizations. This is despite the benefits that the women leadership role offers to the movements. For instance, they play a key role in mitigating violence during negotiations with state and non-state actors. Peasant women were also able to build their confidence, knowledge, skills, and improve the ways they politically assert themselves, and by doing so were able to create some form of livelihood for themselves, their households, and their community. Women's leadership, therefore, is a significant development, especially compared to the past when peasant movements and organizations were led by and associated only to men. Thus, women's leadership has relatively created some fracture to the patriarchal norms and practices in agrarian claims and agrarian communities. This study, therefore, has shed light on how

women's roles in the agrarian struggles have resulted to the reshaping (or continuation) of peasant gender relations.

The study also found that there are major constraints to the advancement of women's strategic interests on land. These include: i.) peasant women's lack of knowledge on their equal land rights despite policy and legal backing; ii.) the notion on household head or men as the normative basis on identification of agrarian beneficiaries and; iii.) the limited gender awareness within the agrarian agency and communities which results to the lack of conscious effort in advancing women's strategic gender interests. On the lack of or limited knowledge on women's land rights to land, the findings suggest that this is not only in the case of peasant communities or organizations, but also the agrarian implementers themselves, especially at the local level. The lack of improvement in the agency's appropriation and utilization of gender budget, amongst others, limits activities for gender awareness raising and the dissemination of the information on the policy on gender equality on land reform, both within the agency and within the agrarian communities.

This study argued, therefore, that to strengthen women's access to and control over land in patriarchal communities, information dissemination on women's equal land rights and gender consciousness-raising across the agrarian agency and the agrarian communities should be conducted. An increased gender awareness among the implementers is fundamental to advance women's land rights across agency and at the community level. This is also crucial to change the continuing patriarchal assumptions in the agrarian process, such as the notion of household head that is often equated to men rather than both men and women.

Moreover, building gender awareness may also dismantle the myth on conjugal property that is often unquestioned. This distortion becomes a reason for women's exclusion from land entitlement and also dissuades women from asserting their rights to land. This extends to the myth on the notion of gender division of labour which does not capture and represent women's actual roles. As this study revealed, peasant women are very much involved in productive work, and yet, are often excluded from and less paid in labour work and remain tied to reproductive work. The point is to understand and work towards recognizing that both productive and reproductive work are equally important and valuable; hence, both men and women are key to dismantle such gendered norms and old beliefs if the aim is to build more egalitarian gender relations and society. This is not a new perspective and vision; however, the fact that it remains a central issue in the Philippines as elsewhere, implies that further studies and programs that challenge the matter are both needed.

Furthermore, the cases equally demonstrate that peasants' justice claims are violent, difficult, and unceasing. The peasants' resort to rightful resistance to further pressure the state to advance land redistribution. The task therefore is to redefine strategies which put women on the frontlines. The willingness of women to go beyond their traditional roles and be on the frontlines becomes crucial in the land struggle, which suggests that involvement in the land struggle is not dependent solely on gender but is also contingent on relational and political considerations.

The peasant movement and women's leadership become the peasants' instruments to represent their voices and demands. This is crucial to advance agrarian claims and acquire real access to and control over land, especially wherein the state or agrarian agency's efforts to redistribute land tend to be stagnant without pressure coming from the peasants. The peasants' organizations and movements are also found crucial in countering landowners' persistent and strong opposition to land reform, which is manifested in manoeuvres of legislative, judicial and the executive branches of the government and the continuous harassments and even killing of the active peasants and activists to instigate fear and dissuade people's active resistance.

Moreover, it can be argued that immediate land redistribution is necessary to address agrarian violence, poverty, and hunger. In the case of SAMFAI, the redistribution of 200 hectares warrants immediate attention (considering the agency's decision since more than two decades ago). In the case of KMPCI, the remaining 36 hectares of land for redistribution also calls for immediate action including the segregation of the mother title. Meanwhile, as emphasized earlier, land redistribution is critical but is inadequate in attaining justice without the recognition and representation of women's equal rights.

Overall, the influence of patriarchy on women's access to and control over land remains strong both at the level of agrarian communities, organizations and movements, households, and agrarian agency. Raising gender consciousness and disseminating information on interventions are crucial to motivate peasant women to advance their strategic gender interests. Moreover, understanding gendered agrarian structures, social practices in land redistribution, and agrarian interventions and institutional biases are needed to identify and address various constraints to women's equal rights, including existing contradictions in practices and laws or policies. By integrating the gender lens in the analysis of the land redistribution, women's roles will, at the very least, not be underplayed. Ultimately, understanding the barriers to women's equal land rights and the nodes of power and powerlessness in land reform is key to attaining gender justice. This is not to claim, however, that this has not yet taken root already, but more efforts are needed to advance women's rights

and overcome the persistent subordination of women especially in land issues.







This is a portion of hacienda Valderama where we walked for more than an hour to interview the farmworkers who live in the community inside the hacienda. Taken in 2013.



7

## Continuing agenda for gender justice in land reform: Lessons, contributions, and future research directions

### 7.1 Introduction

This study aimed to understand the extent to which the peasant women's struggles for land rights and entitlement in the Philippines contributed to fostering gender justice in the ongoing land reform process. The study found that in general, although the peasant women's struggle for land reform at present amplifies women's voices compared to the previous decades, more work must be done towards the attainment of gender justice in land reform.

The key conclusion of this study is that the peasant women's leadership in agrarian reform and land rights' struggle is critical to overcoming women's subordination, but their leadership does not equate to having their strategic gender interests represented. In many ways, women have contributed to the advancement of the land redistribution processes, which has led to some gender transformation in the on-going land struggles as discussed in the previous chapter. For instance, the cases showed that peasant women have become more confident in taking on leadership roles, and their organizations acknowledge their effectiveness. These depart from historical and patriarchal norms in agrarian processes, such as the conventional attribution of leadership in agrarian struggles to men. Thus, with women's leadership, an assertion of women's equality can possibly be assumed. Paradoxically, however, women do not always assert for or demand equality in land rights, which reflects the historically conditioned response that perpetuate gender hierarchy in land redistribution processes. Thus, juxtaposed with Fraser's integrated approach to justice, these empirical findings suggest the persistence of agrarian and gender injustices, as best manifested by the huge historic gap between the number of women and men agrarian beneficiaries (Chapter 4), and the continuous exclusion of women in land entitlement (Chapter 6).

This chapter will reiterate the key findings, lessons from and contributions of the study and recommendations for policy and future research. I argue that this study's main contribution is the advancement of gender and women's

agenda through the employment of a feminist lens in land redistribution processes and the agrarian movement.

## 7.2 Key findings and arguments of the study

This section summarizes the key findings and arguments of the study through four key points: 1.) peasant women's front-line roles in agrarian struggles and equality in land issues; 2.) key constraints to women's advancement of their strategic gender interests; 3.) advancement of women's land rights and entitlement and; 4.) women's (social) movement and land agenda.

### *7.2.1 Peasant women's frontline roles in agrarian struggles and equality in land*

As mentioned earlier, peasant women take on frontline roles and responsibilities, but they do not simultaneously advance their strategic gender interests, such as having equality over land rights and entitlement even if they may prefer this arrangement. Their land struggles are primarily brought about by the government's historical failure to fully implement the agrarian program, and this is exacerbated by the landlords' violent defiance against land redistribution. These therefore both result to the persistent lack of land redistribution and recognition and representation of women's equal land rights despite their leadership roles in the land struggles.

Interestingly, the cases show (Chapter 6), that the strategy of women on the frontlines is viewed a "success" and is mainly perceived to mitigate the incidence of more violence, specifically killings of men. Notwithstanding the effectiveness of the peasant women's leadership, it could be argued that being on the frontlines of the struggle for land reform renders women in "another abused" position. In other words, women advance land redistribution and protect peasant men from violence, therefore putting their lives at risk, without being guaranteed with equality on land entitlement for themselves (see also Hennings, 2019).

The findings show, however, that the peasant women do not feel abused but rather view the strategy as necessary for success. This affirms Rao's (2017:45) argument that women's agency is indeed grounded in sharing, rather than independence, as also discussed in Chapter 2. Men and women seek gains but also cooperation and reciprocity (Ibid). Along this line of thought, peasant women's agency can indeed be considered as a necessary strategy, not only to avoid further violence, but to bring together men and women in the advancement of their land interests. The strategy of having women on the frontlines, therefore, is not only a necessity for men's safety but for each other's welfare, as both are equally facing crisis in terms of access to

productive assets and livelihood. Both women and men (and even their children) therefore help each other, which affirm the need for cooperation and reciprocity in overcoming the agrarian struggle.

Moreover, women feel empowered when they lead the land struggle. As the empirical findings of this study demonstrate, leadership opportunities enhance women's confidence in negotiating, networking, building knowledge, gaining livelihood, and establishes the recognition of their leadership and key roles in advancing land claims. It is found, however, that women themselves do not necessarily question their subordination nor assert gender equality. Therefore, we cannot always assume that women's empowerment advances gender equality. This can be explained by a lack of gender consciousness, as Moser (1989) and Cornwall (2016) have argued. Women's empowerment requires gender consciousness, which could lead to an understanding of and questioning of women's subordination (Moser, 1989) by requiring a shift in women's perceptions of themselves as being restricted by social norms (Cornwall, 2016). Overall, this affirms Fraser's perspective (2005) that political representation is an equally important ingredient in attaining justice, and unless women's leadership and political participation is informed by gender consciousness (Moser 1989 and Cornwall 2016), the subordination of women or gender injustice in agrarian process will not be deeply understood, questioned, or radically overcome.

Furthermore, the findings suggest that the collective actions of the peasants require support from various alliances and the broader social movement, as well as advocates of national development. The linkages amongst agrarian groups and active involvement of the church, civil society, and individual activists, local and national, and international links, strengthen their fight for justice (Chapters 4, 5 and 6). Hence, while the community-based organizations and their persistent rightful resistance (i.e. land occupation and self-installation) are found crucial (as demonstrated by KMPCI and SAMFAI), their participation in national mobilizations and actions and engagement with the national and local government agencies, or the use of bibingka strategy (Borras 1996) seem equally necessary. Broadening their repertoire of actions, including hunger strikes, sit-ins, picketing, long marches, media engagement, constant dialogue, lobbying and so on, at the local and national level, are also considered important to counter landlords' strong opposition and to pressure the government to fulfil its obligations. Such actions are also perceived to expose the landlords' violations of peasants' rights and the state's failure to implement the program and raise public awareness of land reform related injustices.

In short, these findings suggest that advancing equal access to and control over land can only occur if peasant women and men collectively advance these transformations. This requires the employment of multiple strategies, including women's leadership, that form part of women's and men's advancement of justice. However, the organizations' demand for justice is incomplete given the absence of the demand for women's land rights, which is due to the lack of gender consciousness. Thus, it can be argued that women's leadership in land struggles alone would not result in questioning gender hierarchy in the agrarian process and could even constrain the attainment of women's strategic gender interests.

### ***7.2.2 Key constraints to women's strategic gender interests***

The powerful landlords' strong opposition to and state's weak political will and enforcement of land redistribution, together with deeply entrenched agrarian patriarchal norms and values, often constrain peasant women's (and men's) strategic gender interests. In particular, the strong patriarchal values, norms and stereotypes in agrarian settings are exacerbated by the peasant women's (and men's) lack of knowledge about their land rights, as well as the lack of gender consciousness. Thus, the recognition and representation of women's equal land rights remain sanctioned by gendered social structures, deeply rooted in individual and institutional practices or cultures within households, organizations, government agencies, and even in laws and policies. In this regard, this study argues that systematically tracing and understanding the constraints to gender equality in land issues is key to radically advancing women's land rights and gender equality in land redistribution.

One prominent example of constraints to gender equality in the agrarian context, is that "farmers" and "heads of households" are often deemed to be men, and thus, the deserving land reform beneficiaries, excluding women in the process (see also Leyesa, 2009, Leonard et.al, 2015 and Alano, 2015). Such cultural norms are connected to the conventional notion of division of labour, where men and women are separately delegated into productive and reproductive spheres. This puts men on a pedestal and exclude and subordinate women from economic and socio-political opportunities and benefits, such as land entitlement (Chapter 2 and 4). This was experienced by the study participants, as narrated in Chapter 6 by landless or poor peasant households. Regardless of both men's and women's (and even children's) income contribution for family survival, men are still recognized as the "farmers". Hence, it is important to emphasize that equating production solely to men is erroneous and unjust, because it devalues women's worth and work, and ultimately perpetuates the view that reproductive work is primarily if not solely women's responsibility. This dichotomization of the productive and



reproductive spheres, in short, is problematic, as earlier established (Prill-Brett (no date); Illo, 1992; Hill, 2011; Agarwal, 1994) and as manifested by women's exclusion from economic and socio-political opportunities, experiences of carrying multiple burden and becoming victims of violence (as the two cases here demonstrated). Thus, without interrogating such cultural assumptions and conventional perspectives and practices, gender injustice in the agrarian processes will persist.

Another important example of a constraint to gender equality is the male biases found in laws, such as in the Family Code, as discussed in Chapter 4. Such male biases disprove the assumption of men's and women's equality regarding conjugal property. This is best manifested, for example, by the privilege given to men in cases of disputes between husband and wife, which is not commonly known. This notion of conjugal property, however, often becomes peasant women's reason for their non-assertion or lack of demand for equal entitlement to land. Agrarian agents also assert this distorted notion, which minimizes the importance of including women's names in the land title. Moreover, it is found that there are also higher costs for women (such as taxes) if land or property are not titled after both husband and wife. It can be argued, therefore, that the women's equal entitlement to land is crucial, not only to secure the equal recognition of their rights but also to assure fewer costs as well as equal benefits. Furthermore, this finding shows that there are still laws in the Philippines that need to be reformed to guarantee gender equality.

### ***7.2.3 Advancement of women's land rights and land entitlement***

Chapter 4 discussed the gaps and shortcomings in DAR's advancement of gender integration through its agrarian programs. Some of these gaps are: the promotion of the agrarian gender policy including gender consciousness within the department, especially at the local level; more efficient GAD budgetary allotment and utilization; promotion of women's equal land rights including in agrarian communities; promoting changes on the title instrument to ensure co-ownership by both men and women beneficiaries (if an individual title for peasant women is not possible); regular and systematic segregation of data including other variables, such as the status of women beneficiaries; monitoring and assessment of gender mainstreaming efforts to institutionalize accountability; and promotion of consistency among different but interrelated policies and statutes.

The GAD budget (5%) could further advance significant changes if it is effectively utilized to institute massive gender sensitivity training and awareness within the agency and the agrarian communities. Through these, the gaps in the dissemination of gender policy and gender consciousness



amongst agrarian officers and staff and across agrarian communities could be addressed, eventually promoting peasant women's equal rights to land. The gender budget can also cover the salary of full-time staff to ensure consistent gender mainstreaming (the lack of which impedes the proliferation of gender integration initiatives within the agrarian agency). The budget can also cover monitoring of progress and ensuring gender-disaggregated data (see also, Kieran et.al, 2018) to inform the agency's policy implementation, policy-making and planning. The gender budget could also support agrarian communities' organizing activities as well as research and education initiatives through partnerships with feminists and the women's movement. In short, the gender budget allocation and its utilization can strengthen the agency's gender integration efforts and could also enhance peasant women's knowledge of land rights, gender consciousness and empowerment. Ultimately, the budget could be an instrument in narrowing the gaps between the number of men and women beneficiaries and in promoting recognition of women in all aspects of land reform.

The study also reveals that in the Philippine land reform context, individual land title for women, or co-ownership between men and women, is not a far-fetched possibility. Peasant women can have individual or joint/co-ownership through land redistribution, and this is affirmed by agrarian law. The land entitlement could depend on specific contexts, for example, considering the type of farm relations or perhaps the type of crops in the land. In cases of tenanted lands, especially the rice and corn areas, for example, joint entitlement or co-ownership may be more applicable because the households are identified as the tenants (although ownership may not necessarily be limited to this). The land title therefore would be named after both the spouses, for example, "Pedro and Maria" (as opposed to the traditional Pedro "married to Maria" (see Appendix 6). On the other hand, in plantations of sugarcane, coconut, and mango, for example, since most men and women are or former farmworkers in a huge hectarage of land, like KMPCI and SAMFAI members, a separate or individual title for both qualified men and women workers is considered just. However, the recognition of women as farmworkers is crucial, but unfortunately, is often not the case, as shown by the two cases examined in this study (see also Leonard et.al 2015).

Moreover, in many instances, as experienced by KMPCI, collective titling through mother CLOA becomes more advantageous, at least technically and for purposes of immediate access to and control over the awarded land. In this way, the farmers do not have to wait for land segregation before they could have access to and control over the awarded land. Through the mother CLOA, unnecessary delay could be avoided, although this may not always be the case, as shown by KMPCI. Nonetheless, with the mother CLOA, the

segregation of the title can be done later. Furthermore, if the women's equal land rights are promoted, the individual rights of women or the co-ownership of men and women beneficiaries can be ensured. For instance, once the mother CLOA of KMPCI, is finally segregated, many women can be identified as either individual owners or co-owners. These are subtle but crucial nuances to advance women's land rights in the Philippine context.

Furthermore, it could be argued that regardless of peasant women's non-assertion for equal land entitlement (as in the two case studies presented here), the agrarian agency should still ensure women's land rights in all instances of land redistribution, since this is at the core of the land reform program and is supported by both national and international laws and policies. This further indicates the relevance of gender integration and further understanding of and attention to the different constraints to gender equality on land.

#### ***7.2.4 Women's (social) movement and women's land agenda***

Another important finding of this study is that while rural feminists and coalitions such as PKKK, and federation of women's peasant organizations such as KP, are advancing women's land rights agenda, the agenda remains generally unexplored at the level of communities and local peasant organizations as found in the cases of SAMFAI and KMPCI. Apart from the localization of women's strategic gender agenda and discourse on women's land rights, the recognition and representation of rural women's perspectives and concerns within the broader women's movement and the broader social movement agenda also require further attention.

Historically, as shown in Chapter 5, despite (peasant) women's active roles and leadership in mobilizations and different political actions, the equal recognition of women did not necessarily result in the demand for women's equal rights. Instead, the women and their agenda were invisible and constrained. However, the birth of the women's movement from the 1970s and the adoption of the socialist-feminist approach (which echoes Fraser's integrated approach to justice), changed the course of the movement, which led to the linking of class and gender concerns. Yet, the divide within the national democratic movement, including the women's movement in the 80s, which resulted to prioritization of class, on one hand, and the advancement of both class and gender or the socialist-feminist agenda, on the other, seemed to weaken the advancement of women's gender strategic interests. This suggests the gap not only in terms of the integration of both concerns per se but the disunity in the approach and within the women's movement. This renders efforts to fulfill women's land rights agenda and gender equality inadequate and ineffective.

The advancement and representation of both land redistribution and recognition of gender equality in the movement, is highly imperative. Hence, the role of the rural coalitions such as PKKK and peasant women's federation such as KP is important since they aim to advance both gender and class concerns, both in the broader women's movement and the social movement. This suggests that parallel to strengthening advocacy for women's land rights at the national level, building gender awareness and feminist political consciousness must also be pursued. This is proven by the state's recognition, particularly by the DAR and the Philippine Commission on Women, of the important role of PKKK and women leaders in advancing the peasant women's rights on land issues and other women's concerns. Thus, it can be argued that strengthening rural women's movement, advocacy, and state engagement, both at the national and local levels, are necessary to further advance gender policy enforcement and gender equality in land reform and rural development interventions.

Moreover, the study suggests further attention on how rural women's movement engage with the broader social or peasant movement and women's movement, to further advance and integrate rural women's concerns and agenda, including land concerns. It is important for rural women leaders and feminists to be represented in coalitions, conferences, study sessions, mobilizations, rallies, etc. and to have persistent advocacy for gender equality and women's distinct needs and demands, including at the international level. Furthermore, it is crucial for the broader social movement to equally recognize gender concerns and strengthen the inclusion of the women's land rights agenda within the broader women's movement. This, therefore, suggests the need to examine community agrarian cases, such as the two cases tackled in this research.

Overall, these four key findings suggest that understanding the struggle for gendered agrarian justice requires gender perspectives and persistent confrontation and questioning of the whole gamut of social, cultural, and political economic norms and structural and institutional constraints to integrated justice. The study has shown that throughout the history of the agrarian process, the movement and the state have been party to the reproduction of long-standing gendered practices. The analysis of peasant struggles clarifies the underlying tensions between the aspiration to fight for class and the sub-conscious reproduction of gendered processes and practices. The structures of power in which women (and men) are enmeshed, therefore, operate within class and gender dynamics at multiple levels (local, national, and global) and different institutional arenas (households, communities, social movements, states, and so on). Hence, the same dynamics, levels and arenas require further critical scrutiny and understanding, if the aim is to further advance

gender integration and challenge gender injustices in agrarian issues, to ultimately achieve integrated justice.

### **7.3 Lessons from and Contributions of the Study**

This section attempts to rethink the agrarian movement in the Philippines by discussing how the empirical findings viewed through a feminist lens could affirm or contest core concepts and theories in justice and critical agrarian or peasant studies.

As discussed in Chapter 2, this study is guided by an agrarian gendered justice framework (Figure 1), employing Fraser's integrated justice approach, which proposes the integration of economic, cultural, and political dimensions. They are: (1) the (re)distribution of material resources, such as land, to eliminate class differentials rooted in the political economy; (2) the recognition of social status, between men and women, to ensure equal respect and opportunity; and (3) the politics which provide space for all social actors' voices and receive equal attention. As Fraser (2010:364-365) argued, "justice requires social arrangements that permit all members of the society to interact with one another as peers". Thus, neither redistribution nor recognition can be reduced, as both can be simultaneously experienced, or 'bivalent' (1999). Often, because the oppressed groups suffer from both maldistribution of resources and misrecognition, a political mechanism or representation is required to redress injustice (2005:10). Peasant women's and men's political representation, for instance necessitates employment of various strategies, including the bibingka strategy (Borras 1998), rightful resistance (O'Brien 1996), and women's leadership. The peasant women's leadership in the agrarian struggle, however, does not necessarily lead to the assertion of women's strategic gender interests, which can only come from the recognition and empowerment of women and elimination of women's subordination to men (Moser, 1989, Molyneux, 1985).

Theoretically and analytically, the study shows that the convergence and on-going effects of political, economic, and cultural factors on peasant struggles and agrarian concerns, and the linkage of women's empowerment and feminist consciousness demonstrate the usefulness of an integrated approach to justice. The agrarian gendered justice framework allows us to understand and analyze how redistribution, recognition and representation are interlinked, but this may not necessarily be the case in agrarian practices. The study shows, for instance how agrarian actors, agrarian implementers and agrarian organizations and communities, including their resistance strategies, differently shape the framing of justice that influences the degree to which gendered land redistribution is advanced or constrained. However, it is also

important to highlight that women's empowerment and gender consciousness are useful in understanding gendered justice towards the transformation of existing political, economic, and socio-cultural relations in land reform.

Meanwhile, this study has contributed to the agrarian literature by expanding the often dichotomized redistributive/non-redistributive agrarian narratives and debate. This study argued that studying land redistribution alone risks overlooking gender-based structural relations. The conventional redistribution-centered analyses and agrarian claims have continued to obscure the subordination of women and have proved deficient in the recognition and representation of women's rights. Thus, the study recommends scholars, agrarian agency, and social movements, to gain further understanding and/or intervene in land injustice, by keeping in mind economic (land) maldistribution, cultural misrecognition, and political misrepresentation, in their analyses and interventions.

Overall, agrarian practices, policy and research that are shaped by patriarchal values and norms perpetuates gendered politics in the agrarian arena. Gender justice in land reform is impossible without integrating the economic, cultural, and political determinants of class and gender-based relations in practice and theory. Furthermore, without gender-responsive agrarian laws and policies as well as women's leadership in the agrarian struggle, gender justice and transformation will be thwarted.

### *Key points of the study*

Here, I will emphasize eight key points. First, the peasant women's and men's continuing struggle for land rights is brought about by the historically incomplete land redistribution in the country. CARP's more than 30-year existence had been continuously hampered by the state's failures and landowners' violent opposition in the form of harassment, threats, criminalization, or even killings of peasants. This violence forced peasant women and men to fight for their rights through organized mobilizations and various strategies, with the peasant women on the front lines, as already pointed out.

Second, peasant women's (and men's) prioritization of land redistribution or immediate access to and control over land serves to hamper the advancement of women's strategic gender interests. Thus, while women's leadership is considered effective and can become crucial to advance the peasants' interests and land redistribution, this still does not effectively bring about gender justice. Paradoxically, women's front-line roles and leadership transform the normally male-dominated leadership in the agrarian struggle and develop women's confidence and capacity, empowering women in the process. Women's empowerment, however, does not necessarily advance their

strategic gender interests, which will only derive from the recognition of women's subordination or gender hierarchy between men and women (Moser 1989, Molyneux, 1985). It can be argued, therefore, that unless women's empowerment simultaneously aims to remedy misrecognition of women's rights and the gender status order, it can only reproduce gender injustice.

Third, there are intertwining cultural and historical factors that often obstruct representation of women's strategic gender interests and constrain women's equal access to and control over lands. The first factor is the embedded patriarchal culture and dominance of male biases in the agrarian process. The peasant women's lack of knowledge about their equal land rights and the legal processes for claiming such rights also obstruct their equal rights. The protection of women's equal rights under the Philippine agrarian law is an advantage for the Filipino peasant women, which is in contrast to women's experiences in Indonesia (Morgan 2015), Cambodia (Hennings, 2017), India (Agarwal, 1994), and Africa (Doss et.al, 2014). However, the knowledge on land rights is yet to reach the agrarian communities, such as in the two cases presented in this study, and even within the agrarian agency (especially at the local level, where identification of agrarian beneficiaries takes place). This is reinforced by the lack of gender consciousness, not only amongst the agrarian communities but within the agrarian agency itself (Chapters 4 and 6). As Moser (1989:1818) pointed out, raising women's consciousness, and recognizing their roles are necessary to challenge their subordination and build their feminist awareness. Gender consciousness, not only amongst peasant women but amongst agrarian actors, is therefore crucial in challenging women's subordination in land matters and in challenging gender hierarchy in the agrarian process.

Fourth, while the DAR data present a relatively significant number of women agrarian beneficiaries (more or less 30%), these women are likely to be widowed or have absentee husbands or are perhaps single. The record does not reveal the marital status of women beneficiaries. Moreover, during the fieldwork in 2013, no land title had been found to prove that the titles have already been awarded to spouses or to both husband and wife. This suggests that co-ownership is yet to happen. Thus, it can be argued that while the data appear to be significant, it does not necessarily reflect equal recognition of women's rights. Technically, this requires changing the existing title instrument to include peasant women's co-ownership in the event of land redistribution.

Fifth, the political representation of peasant's struggles, as demonstrated by the cases here, is in the form of organized peasants' rightful resistance,



combined with local and national actions and engagements with government and alliance building (Chapters 6). The peasants' engagements from "below" and the application of "rightful resistance" is informed by the knowledge on peoples' rights backed by agrarian law. These strategies are also used to pressure the government, or the forces "above", to enforce the law and implement the land redistribution program (Borras, 1998, O'Brien 1996). As in the case of China, (O'Brien 1996, O'Brien and Li 2013), Filipino peasant "rightful resisters" and activists refer to formal laws and policies to press their causes and demand state obligations. This demonstrates two important points: the important role of agrarian law and policy in advancing peasants' rights to land, and the role of peasants' organizations and their strategies, which are often combinations of the *bibingka* strategy, mobilizations, alliance building and rightful resistance through land occupation and self-installation, amongst others. Thus, while agrarian law and policy are important to advance land redistribution and recognition of women's land rights, peasant men and women's political representation is key for the law to work favorably in their interests. This suggests that the peasants' political actions and multiple strategies, such as land occupation and self-installation, are therefore necessary, because participation and justice agenda-setting are insufficient to achieve justice.

Sixth, the findings also suggest that peasants' contestation and land claims are mainly inspired by their aim to have land, which is viewed as the key to economic freedom, including the ability to decide over their own production, negotiation or bargaining for credit access, market, or their strategic needs, and their practical needs such as food, livelihood or income and shelter. Hence, land has both practical or material, and strategic or emancipatory importance for peasant men and women and their families. This therefore disproves the argument that practical gender needs are not a feminist issue (as they may not involve questioning gender relations) (Moser, 1989) since land has both practical and strategic importance. Feminism therefore can also be limiting if the practical aspects of concerns such as in land are not considered as feminist. This is also apparent in the tendency to disconnect political, economic, and socio-cultural questions or prioritize one over another while they are 'bivalent' and thus, equally crucial (Fraser 1999) to peasant women's lives.

The lack of peasant women's assertion to equality also deters the transformation of the agrarian gender hierarchy and dislocates women's equality or gender equality in agrarian processes. As in the case of Venezuela and Ecuador, rural women's movement's weak assertion leads to fewer tangible results. However, the strong advocacy by the national-level rural women's movements has resulted in mandatory joint titling of land to couples in Bolivia, as well as the prioritization of female household heads in land redistribution and



mandatory joint allocation to couples in agrarian settlements in Brazil (Deere, 2017: 259-260). Thus, the realization of women's equal rights to land is possible with strong women's movement and advocacy. This affirms that sustained and systematic effort by women's organizations and like-minded groups are required to advance women's strategic gender interests (Moser 1989:1816).

Seventh, since the birth of feminist thought and the women's movement in the Philippines, especially since the 1970's, the integration of gender has already advanced, resulting in the institutionalization of various gender responsive laws, policies and programs, including in agrarian issues, and the proliferation of women's movements (Chapter 5). Scholars and practitioners acknowledge that the integration of gender concerns in the Philippine agrarian context is crucial. However, obstacles to gender equality remain insurmountable, not only in terms of policy enforcement but also in agrarian practices and social movements as demonstrated in Chapters 4, 5 and 6. The divide within the Philippine women's movement, between those who still prioritize class over gender concerns, and those advancing the integration of the two, is a testament to the enormous challenge in understanding gender concerns. Similar gaps and limitations are also prominent in agrarian and agrarian movement scholarships, which mostly still focus on redistributive or political economic questions and are largely gender-blind (see also Hall et.al, 2015; Agarwal, 1994). This further indicates the relevance of this study, and the vital importance of further understanding and identifying gender-based hierarchies in agrarian settings.

Finally, the violence sprouting from the non-distribution of significant number of private landholdings (Chapter 4, 5 and 6), is embedded in a historical class and socio-economic inequality dating from the colonization period. Hence, while most agrarian studies focus on "land grab", often associated with international corporations (see for example Haroon, 2012), in many cases in the Philippine context, the power relations between landlords and peasants remain eminent, thus requiring further attention. In the Philippine context, land grabbing is not necessarily a new phenomenon, nor is necessarily only coming from the encroachment by new or foreign corporations (Chapter 5). Like the two cases here (Chapter 6), the same landlords and/or local corporations utilize their power and influence to delay, reverse or evade land redistribution. The KMPCI case is proof that even awarded lands can still likely be challenged by the landlord for a long period of time and would therefore force peasants to contest and assert for actual access to and control over a portion of the land which is technically already awarded to them. Another strategy, as demonstrated by the case of TAIDI Corporation against

SAMFAI, is the utilization of other institutions, in this case the Silliman University, through the “donation” of the land by the landowner. This is exacerbated by the DAR’s non-enforcement of its order since 1998, an order that could have ensured the redistribution of 200 hectares given the devoid joint venture agreement indicated by the order. It is also crucial to question how an institution, for example Silliman University, could have possibly become instrumental in the evasion of land redistribution, or in the disruption of the agrarian program, or grabbing land under agrarian that consequently endanger farmer’s rights’ possibility to own a piece of land.

In sum, employing an integrated approach to justice is crucial in highlighting the class-gender structural dynamics and the power relations in land re-distribution and agrarian struggles. Peasants’ experiences are a valuable source of knowledge in understanding the intersection of class and gender structures in the agrarian concerns and the agrarian movement. This study brought into view the paradoxes and complexities in agrarian justice claims, such as the contradictions between the peasant women’s leadership position and demands, between the agrarian legal provision and its enforcement, and between the agrarian record and peasant experiences and understanding. The peasant women’s (and men’s) conditions as both gendered and classed, embedded in an on-going disjuncture in agrarian practices, have largely led to the failure to recognize and represent women’s equal land rights. Thus, justice is insufficiently advanced through the same gender-blind rationalities and practices. Where women’s leadership and frontline roles in the agrarian struggles are still defined by deep tensions brought about by the gender norms and values that continue to invisibilize men’s dominance and women’s subordination. Institutionalized policies, such as those in the agrarian agency, when effectively implemented, could therefore offer the possibility of further advancement towards gender justice, even without peasant women’s assertion of their interests and rights. Women’s organizations which integrate gender concerns into their agenda (such as PKKK and peasant women’s organizations such as KP), could also better advance gender transformation, especially if financial resources are provided.

## 7.4 Some policy recommendations and potential future research

The study highlights notable policy implications on the enforcement of the land redistribution program and the addressing of gender imbalances in land entitlement. These include raising gender awareness; proper utilization of the gender budget; regular generation of gender-disaggregated data; provision of support services; and support from civil society and international development agencies.

*Enforcement of land reform policy*

There is an urgent need for policy enforcement not only in cases of SAMFAI and KMPCI but all the rest of the agrarian covered areas (the 800,000 undis-tributed lands) (see Table 1). As earlier mentioned, the agrarian program has already been long overdue. The more than 30 years failure to enforce the agrarian program must be put to an end.

Similarly, a serious consideration of women's equal land rights is urgent given the gaps between the number of women and men agrarian beneficiaries. This implies reiterating the enforcement of the administrative order (AO 1) series 2011, including the reiteration of gender awareness raising within the agency, especially amongst the higher officials at the national level and the officers at the local level where identification of the beneficiaries is taking place. This should also be conducted in the agrarian communities and amongst agrarian (potential) beneficiaries, so that they can acquire their knowledge on the laws that back peasant women's rights. This knowledge could also contribute to the dismantling of patriarchal assumptions in agrar-ian processes.

It is also necessary to change the gender-blind title instrument to accommodate and ensure women's individual land entitlement or co-ownership. Corollary to this is the need to have a consistent gender data base, including in all the agency's reports. Proper gender budget appropriation and utilization must also be guaranteed, as well as the constant monitoring and evaluation of the program implementation.

The agrarian agency can also be mobilized to support the advancement of peasant women's strategic gender interests and ultimately contribute to peasant women's empowerment. While empowerment is difficult to measure, the framework of this study helps in creating indicators of women's empower-ment. Thus, while there is already a considerable number of women benefi-ciaries, a better instrument to measure the redistribution and recognition of peasant women's rights needs to be developed, also considering the insuffi-cient statistical data on women's land entitlement.

Furthermore, this study has shown that many of the agrarian beneficiaries' land are increasingly being rented out due to lack of income and lack of sig-nificant support services that is supposed to be provided under the land re-distribution program. The agrarian provision on support services for reform beneficiaries and communities should therefore be more effectively imple-mented. There is also a need to look at the reversal

of the awarded land and the ‘second generation problems’ in land reform, which is contrary to the essence of the agrarian policy.

*Women’s movement and the role of civil society and international development agencies*

The study also has political implications on social and women’s movement, NGOs, and POs, which could help affect the way they sustain their strategic roles in supporting landless women and men. These organizations need to adopt an integrated approach, reflect on their general biases, and consider embarking on a political struggle for both land redistribution and recognition of women’s land rights.

Furthermore, the study has shown that the support needed to build women’s organizations and women’s initiatives remains enormous. Organizing peasant women and building gender awareness and political consciousness amongst them (even amongst men) cannot be done without adequate financial resources and support, which most POs and NGOs like KP and PKKK lack. This should therefore call the attention of international development agencies. Meanwhile, while the state or agrarian agency may have the gender budget, we cannot depend on them to raise the gender awareness and political consciousness at the community level since they also tend to neglect these kinds of interventions. Possibly, however, the state agency can partner with the POs and NGOs to carry out these necessary activities and organize agrarian communities.

*Future research*

Future research could further explore the general status of women’s land entitlement in the Philippines. For instance, there is a need to further evaluate the validity of the percentage of women identified as land reform beneficiaries (approximately 30%) to understand the extent of recognition or non-recognition of women’s land rights. Secondly, the quantitative and qualitative impact of land ownership on women should be further scrutinized. How and to what extent does having land titled to peasant women change or impact their economic freedom, empowerment, and decision-making participation in the household and beyond? And thirdly, what is the status of the current agrarian beneficiaries and how did ownership of land impact their lives and their gender relations? Are there shifts and differences, and if so, to what extent? If there is none, why?

This study also found that agrarian gender relations are often obscured, limiting the understanding of their consequences, especially on women. Further inquiries are relevant to advance feminists’ theorization of the agrarian question and towards future policymaking and interventions. Furthermore, it

would be interesting to compare and analyse the current status of peasant women as discussed by Agarwal (1994) in South India; Deere and Leon (2001) and Deere (2017) in Latin America; and Whitehead and Tsikata (2003) in the African context. Since most of these feminists' prominent agrarian studies were conducted more than a decade ago, it would be interesting to know the status of these peasant women from these different contexts: what has changed and what has not? Why has this been so? Similarly, as Hall et.al (2015) noted, in the context of land grab literature (which has been the focus of agrarian studies for the past decade), there is an urgent need to address the near-total absence of a critical analysis of gendered land dispossession including generational aspects (see also White et.al, 2015).

Finally, it would be interesting to comprehend the current Philippine administration's impact on gendered land reform. It can be recalled that President Duterte openly declared war against the oligarchs in the country and called for agricultural industrialization. Following these lines, we could ask, are there shifts that resulted from these declarations? What are its impacts on the lives of the peasant men and women especially the landless or the poor Filipinos? These are important questions, as his statements on reforms seem to be a contributing factor to his (so far) stable popularity, despite, for example, his campaign on drugs that killed thousands of poor Filipinos, and his latest campaign against 'terrorists' and red tagging that claimed a number of lives, including lawyers, peasant leaders, organizers, and activists, amongst others. Furthermore, how did his declarations and explicit sexism impact gender equality advocacy and initiatives in the country? How does the current state-society engagement advance the agrarian and gender agenda? Finally, it would also be important to determine how peasant, women and social movements could engage the present administration to further advance women's interests and bring about social justice in other areas of Filipinos' lives.



# Appendices

## Appendix 1: Gender (in)equality Legal frame

Laws/policies	Provision (Progressive)	Provision (Retrogressive)
1987 Philippine Constitution	Article 3 [1]: “No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.”	
	Article 13 [1] stipulates that “the State shall regulate the acquisition, ownership, use, and disposition of property according to principles of equity, and reducing social, economic, political, and cultural inequalities.”	
	Article 13 [4] “the State shall undertake an agrarian reform programme founded on the right of farmers and landless people to own land directly or collectively. The State shall also encourage the just distribution of all agricultural lands taking into account equity considerations. The State shall provide incentives for voluntary land-sharing.”	
	Article 13 [5]: “The State shall recognize the right of farmers, farmworkers, and landowners, as well as cooperatives, and other independent farmers’ organizations to participate in the planning, organization, and management of the program, and shall provide support to agriculture through appropriate technology and research, and adequate financial, production, marketing, and other support services.”	
	Article 13 [14]: “The State shall protect working women by providing safe and healthful working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation.”	
	Article 15 [1]: “The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development.”	
Family Code 1997	Articles 75 and 96 state that the property regime within marriage is regulated by the marriage settlement. The community of property is the default regime, with both spouses jointly administering family property.	However, “in case of disagreement, the husband’s decision shall prevail, subject to recourse to the court by the wife for proper remedy, which must be availed of within five years from the date of the contract implementing such decision” (11).
	Article 147 stipulates that assets acquired during cohabitation without marriage are jointly owned and can be	Articles 211 and 225 stipulate that the father’s decision should prevail in the



	encumbered or disposed of by one partner only with the consent of the other partner (11).	exercise of legal guardianship. If the wife disagrees, she will have to go to court to request a proper remedy (14).
	Article 111 states that the wife has exclusive management rights with regard to property belonging to her exclusively (11).	
	Article 63 [2] states that in case of legal separation, the terms of the dissolution of community property are determined by guilt, not by gender (11).	
Code of Muslim Personal Laws, 1977	Muslim women inherit half of the share inherited by men in the same succession position (11).	Governs family relations within the Muslim community. Under this Code, wives need the consent of their husband to use land and to acquire property during marriage (11).
		Muslims groups are patrilineal and follow patrilineal inheritance practices, where land is passed along the male line (11).
Labour Code, 1974	Article 3 provides that the state shall ensure equal work opportunities for all people regardless of sex.	However, sex discrimination about recruitment is not explicitly prohibited.
	Article 136 declares that it is unlawful for an employer “to require as a condition of employment or continuation of employment that a woman employee shall not get married, or to stipulate expressly or tacitly that upon getting married, a woman employee shall be deemed resigned or separated, or to actually dismiss, discharge, discriminate or otherwise prejudice a woman employee merely by reason of her marriage”	
	Article 135 sex discrimination with respect to terms and conditions of employment is prohibited and considered a criminal offence (11).	
Civil Code, 1987	Article 900 states that widows are necessary heirs of the deceased spouse.	
	Articles 995 and 996, if the deceased did not leave a valid will, the surviving spouse is fourth in line in the succession order, inheriting the same share as that of each of the children.	
	Articles 802 and 803, married women can make wills without the consent of their husband; they can also dispose of their separate property and of a share of communal property (11).	

Comprehensive Agrarian Reform Law (CARL), 1988	Section 4: “The comprehensive Agrarian Reform Law of 1988 shall cover, regardless of tenurial arrangement and commodity produced, all public and private agricultural lands, as provided in Proclamation No. 131 and Executive Order No. 229, including other lands of the public domain suitable for agriculture.”	
	Section 6 states that no person may own or retain, directly or indirectly, any public or private agricultural land in excess of 5 hectares. Three hectares may be awarded to each child of the landowner. Any disposition of private lands made by landowners in violation of the above limits is automatically null and void.	
	Section 40 [5]: “All qualified women members of the agricultural labour force must be guaranteed and assured equal rights to ownership of land, equal share of farm’s produce and representation in advisory or appropriate decision-making bodies.” (3)	
Indigenous Peoples Rights Act, 1997	Section 2 [b] recognizes indigenous people’s ancestral rights over land by providing for the application of customary land tenure in the ancestral domain (11).	
	Sections 2 [d], 21 and 26 guarantee gender equality and the human rights of indigenous women and participation of indigenous women in decision-making processes at all levels (11).	
Women in Development and Nation Building Act, 1992	Aims at promoting the integration of women as full and equal partners with men in development and nation building.	
	Under Section 5, women have full legal capacity to act and to enter contracts, regardless of their marital status.	Although women are allowed by law to enter into contracts without their spouses’ signed agreement, many institutions continue to require the male partners’ signature on the contracts (3).
	Section 5[1] recognizes women’s legal capacity to borrow and obtain loans.	
	Section 5[2] recognizes women’s right to “equal access to all government and private sector programmes granting agricultural credit, loans and non-materials resources.”	
	Section 6 grants women equal access to membership in social, civic, and other organizations (11).	
<b>Policies/Institutional mechanisms enforcing or preventing women’s land rights</b>		
The National Commission on the Role of Filipino Women, 1975	Mandated to review, evaluate, and recommend measures to ensure the full integration of women in various areas of development. The Commission guides national government agencies and local government units in their gender mainstreaming efforts (3).	
The 1989-1992 Philippine Development Plan for Women	Recognized the shared responsibility of government agencies to implement programmes for women’s advancement. Agencies created the Gender and Development (GAD) focal points to coordinate the plan implementation and lead the capacity building of the agency for gender mainstreaming. As of 2002, some 100 agencies had operational GAD focal points (3).	

	The National GAD Steering Committee provides directions and monitors the gender-based agrarian reform programmes through the GAD Technical Working Group Focal Point (3).	
The Administrative Order No. 1 of 2001	Protects the rights of both spouses to ownership of the land, by requiring the issuance of Emancipation Patents or Certificates of Land Ownership Award (EP/CLOA) in the name of both spouses. The Order also provides for the integration of a gender responsive reporting system in the reporting for land acquisition and distribution and in the computerized information system of the Department of Agriculture (3).	
In 2004, the Department of Agriculture issued Special Order No. 21	This directs all agency units to reorganize focal points to facilitate the gender mainstreaming. A Technical Working Group was created to formulate a strategic plan for gender mainstreaming through data generation of selected agricultural information. Gender mainstreaming is further implemented through gender-sensitivity training among the Department's officials, middle management, and employees (14).	
The Environment and Natural Resources Department Order amended in 2002 repealed paragraph 8 of the Lands Administrative Order No. 7-1 of 1936	Thus, granting women, regardless of civil status, equal rights as men to apply for the purchases or lease of public lands. The previous regulation required the written consent of the husband before applying for land purchase or lease (3).	
The 1995-2025 Philippine Plan for Gender-responsive Development	This is a 30-year framework to advance women's equality and empowerment (3). The plan discerns for the government entities at all levels to incorporate GAD concerns in their performance, commitment, and financial plans (7). The chapters on agrarian reform, agriculture, indigenous people and environment and natural resources explicitly recognize the role of rural women in the development process (14).	
<b>International treaties and conventions</b>		
Convention on the Elimination of All Forms of Discrimination against Women (adopted on 18/12/1979).	Relevant articles: 2, 4, 14 and 16.	
CEDAW-OP: Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women		
International Covenant on Economic, Social and Cultural Rights (adopted on 16/12/1966).	Relevant articles: 2(2), 3 and 11(1).	
International Covenant on Civil and Political Rights (adopted on 16/12/1966)	Relevant articles: 2(1), 3, 14, 16 and 23(4).	

Source: FAO full country report

## Appendix 2: Agrarian laws prior to CARP

Laws	Year	Features
Rice Tenancy Act (Act No. 4054)	1933	The first law passed by commonwealth government to regulate land-lord-tenant relationship which legalized the 50-50 sharing contract which took effect in 1946. It could only be implemented upon request of municipal councils, which were dominated by landlords. The land-lord also decides to renew contract.
Sugar Tenancy Act (Act No. 4113)	1934	This is passed to regulate tenant-landlord relationships in sugar areas. However, sugar workers are either unaware or dismissed if they exercised their rights.
Agricultural Tenancy Act (RA 1199)	1954	Under President Magsaysay, this Act reduced the rent and interest rate which limited the rent to 30 percent and pegged interest rates at eight to ten percent.
Land Reform Act (RA 1400)	1955	Another law under President Magsaysay, known as “land to the landless” program, guaranteed expropriation of all tenanted estates yet set a retention limit of 300 hectares for individually owned and 600 for corporate owned estates. Only 41 estates out of a total 300 were purchased by the government in seven years (1955-66).
Land Reform Code (RA 3844)	1963	Under President Diosdado Macapagal’s administration, this explicitly envisaged the transfer of ownership of land to the tillers covering rice and corn lands as previous administrations. The program had two phases: from share tenancy to leasehold system and from leasehold to full ownership. The rent was fixed to 25% (from 30%) and the retention was lowered to 75hectares from 300 hectares. More emphasis was given to rent reduction than land transfer.
Amended Land Reform Code (RA 6389)	1971	Under Ferdinand Marcos, this law created the Department of Agrarian Reform. It automatically converted sharecropping arrangements into leaseholds and lowered the retention from 75 to 24 hectares however no sufficient funds were allocated.
P.D 27	1972	Five days after the declaration of martial law in 21 September 1972, the entire country was declared a land reform area. With this decree however, it limited the coverage of reform to tenanted rice and corn area. Amended by P.D 1066 in 1976 it exempted sugarlands converted to rice and corn production, feed-grains, cotton, fruits and vegetables, livestock and ‘such other crops as may be designated by the Department of Agriculture’ from coverage and further expanded the exemption by virtue of P.D 1942. There were four main components of the program: the operation land transfer (OLT), the operation leasehold (LHO), landed estates and resettlement. OLT involves transfer of land from landowners to the tenant-tiller in rice and corn areas and allows seven-hectare retention. The farmer beneficiary must pay in 15 years at an annual interest rate of 6%. LHO covers tenants in rice and corn area who are within the seven-hectare retention limit. The tenant-beneficiary covers the costs of production and pays the landlord 25% of a ‘normal’ harvest. Landed estates covering 105,468 hectares acquired by the government for resale to tenants which generated CLTs to 55,221 hectares in June 1986. The resettlement of 801,042 hectares, transfer does not take place but patents. As of 1986, patents issued were only 36,391 hectares benefitting 7,068 farmers.

Source: IBON, 1988: 32-37

### Appendix 3: List of Major Women Coalitions

Name	Priority Sector/Area	Programmes/Services
Alliance for Women's Health	All women, national	Advocacy on reproductive health and rights; policy-action research; international and local linkages on reproductive health
Coalition against trafficking in women (CATWA), Philippines	Abused, trafficked and prostituted women; national and member of Asia-Pacific coalition	Training and education; research and publication; advocacy campaigns; referral of trafficking cases; group building
Freedom from Debt Coalition (FDC), women's committee	Women in industry, agriculture and informal sectors, NGOs, political blocs, youths	Policy analysis; research; population education; advocacy campaigns; gender training
GABRIELA – National Women's Alliance	Urban and rural poor women; survivors of gender violence, indigenous women, women in industry; national with international branches	Organizing; network building; education and training; policy analysis; research; advocacy campaigns
Group of Ten (G-10)	All women; national	Organizing; education and training; advocacy campaigns; research
Malayang Kilusan ng Bagong Kababaihan (MAKIBAKA)	Urban and rural poor women; indigenous women; national	Organizing; political education; political campaigns
Kasarian-Kalayaan (SARILAYA) Socialist Feminist	Urban and rural poor women; national	Organizing; community research; gender training; advocacy
SIBOL (network of women's groups for legislative reforms and pro-women bills)	All women; national	Analysis of existing laws and bills pending in Congress; crafting of alternative bills; lobbying; advocacy campaigns
Ugnayan ng Kababaihan sa Pulitika (UKP)	All women; national	Advocacy for greater participation of women in politics and governance; training in leadership; research
Women's Action Network for Development	All women; national	Training and education; research; advocacy campaigns
Women's Studies Association of the Philippines (network of 60 universities and colleges with women's studies)	Educators, school officials and policy makers, students, guidance counsellors	Development of women's studies curricula; research and publication; advocacy campaigns; training in feminist counselling, teaching and research.

Source: Sobritchea, Carolyn 2004

## Appendix 4: GAD DAR mainstreaming framework

### ANNEX A: GAD Mainstreaming Framework

The Framework serves as the roadmap that spells out the strategic directions in mainstreaming GAD in the entire DAR Bureaucracy and in agrarian reform beneficiaries' organizations (ARBOs). Gendered perspective is being introduced into all areas of development work in the Department and in its clientele - the ARBs.

**Figure 1: Gender and Development Mainstreaming Framework: The Wheel of Gender Mainstreaming**

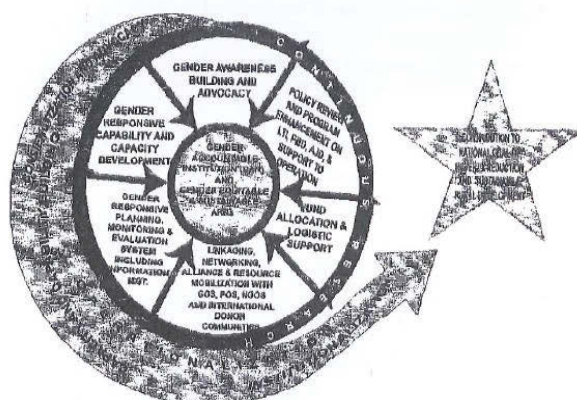


Figure 1 presents the framework of GAD mainstreaming in DAR-CARP. The imagery is likened to a wheel, signifying its dynamism and its forward movement. Gender mainstreaming efforts in the Department date back to 1986 when the main thrust of the government was Women in Development. Over time, it evolved into Gender and Development, and the DAR has consistently moved forward like a wheel until it is able to achieve its desired contribution to the national goal of poverty reduction and sustainable development where men and women in society have realized their full human rights and potentials - as represented by the star.

At the center of the wheel are the outcomes to be achieved in GAD Mainstreaming. First, the DAR will become a gender-accountable institution where gender equity is viewed as the key commitment of the organization. The DAR management should

ensure that gender and development shall be an integral part of the DAR so that gender programs are not affected by changes in leadership.

Second, gender equitable and sustainable Agrarian Reform Areas (ARAs) and organizations will be established where there is equal opportunity, access, and control of CARP resources by male and female ARBs based on their differing needs, interests, and capacities, and where these ARBs will have an equitable share in the responsibilities of decision-making and will participate in the processes of CARP implementation as well as in the benefits derived therefrom.

The wheel has six (6) spokes. These represent the six (6) key areas where GAD shall be mainstreamed. This is being emphasized so that gender mainstreaming will make GAD an integral part of all of the DAR's activities. GAD is intended to be an integral part of the work of the DAR and should be interwoven in the entire operations of DAR-CARP.

The six (6) key areas for GAD mainstreaming are interrelated and interdependent with each other. This means that the level of performance in one key area has direct effects on the other areas. The six (6) key areas include:

- a. Gender awareness building and advocacy;
- b. Gender-responsive capability and capacity development;
- c. Gender-responsive planning, monitoring, and evaluation system and information management;
- d. Linkaging, networking, alliance building, and resource mobilization;
- e. Fund allocation and logistic support; and
- f. Policy review and program enhancements on the three (3) major components of CARP, i.e., Land Tenure Improvement (LTI), Program Beneficiaries Development (PBD), and Agrarian Justice Delivery (AJD).

As the wheel moves, it undergoes four (4) major interrelated phases which are moving in a spiral manner. Cutting across all these phases is continuous research, the same being an integral part in all gender mainstreaming activities. These phases include:

1. Conscientization and Advocacy

This phase focuses on building awareness and consciousness that development has different effects on male and female ARBs and DAR personnel. This is to raise awareness from a gender-blind perspective to being gender-aware, so that there is a recognition of gender inequality, that there are differences between men and women in terms of access and control over resources, including opportunities for development, and that women and men have different





perceptions and interests. Advocacy and social marketing are crucial in this stage.

## 2. Capacity and Capability Building

In this phase, capacity and capability building are merged because of the thin line dividing the two. Capacity enables the organization to address gender issues and concerns, while capability building is intended to enable and empower the individual GAD champions, stakeholders, and staff of the DAR to have specific specializations through education and training that will facilitate attaining gender equity. Together, the capacities of the DAR bureaucracy and its people involved at all levels will make DAR a gender-accountable institution.

## 3. Operationalization

This phase refers to the actual implementation of gender mainstreaming after a series of trainings and assessments. It will require transparency, patience, and active participation of the leaders, officers, and staff of the DAR and ARB organizations to review all GAD documents, policies, programs, and projects.

## 4. Institutionalization

This is the ultimate phase that must be attained: the internalization of the gender and development perspective within the organization and the mandate of the organization, and with full support in terms of resource allocation.

Below is the general description and overview of each of the key areas of GAD mainstreaming in DAR-CARP.

**Gender Awareness Building and Advocacy.** - This is the basic and core area as this builds the foundation of gender mainstreaming efforts in the DAR bureaucracy and in ARB organizations.

1. **Gender-Responsive Capability and Capacity Development.** - This key mainstreaming area is also a gender mainstreaming phase by itself due to its connectivity and its being a "cross cutting" element in all key areas.
2. **Gender-Responsive Planning, Monitoring, and Evaluation (PME) System and Information Management.** - In this key area, the DAR shall put emphasis on installing and operationalizing a gender-responsive PME system and processes, and the development and utilization of gender-sensitive indicators. This is simply the purposive and conscious integration of the GAD framework into the entire PME system and process of DAR and in ARB organizations.



3. Linkaging, Networking, Alliance Building and Resource Mobilization. - This key area dwells on the process of establishing strategic partnership and enhancing resource mobilization efforts which cuts across all the other key areas of gender mainstreaming. Networking for gender mainstreaming includes the establishment of linkages and the formation of joint activities with other gender advocates in governmental and non-governmental organizations, locally and from abroad. On the other hand, resource mobilization refers to a concerted action aimed to support the required resources of a program or plan.

4. Fund Allocation and Logistic Support. One of the major requirements in gender mainstreaming is fund availability. In this key area, the DAR shall ensure that the mandated annual GAD Budget, which is a minimum of five per cent (5%) of the total budget from the General Appropriations Act, is made available for all gender-responsive programs, projects, and activities for both DAR personnel and ARBs.

Likewise, the DAR shall formulate policies/guidelines and implement gender-sensitive standard operating procedures; gender-fair criteria in hiring, promotions, and in representation in various committees and working groups; non-gender biased protection, security, and welfare of male and female employees to make DAR a gender-fair work place.

5. Policy Review and Program Enhancements on the three (3) major components of CARP -Land Tenure Improvement (LTI), Program Beneficiaries Development (PBD), and Agrarian Justice Delivery (AJD).

The key areas above involve the three (3) major program components of CARP which is the core of agrarian reform. The main focus of interventions should be the agrarian reform beneficiaries (ARBs), without ignoring the DAR personnel at all levels who are equally-important. The main premise is that ARB organizations cannot be transformed into gender-equitable and sustainable organizations if the DAR implementers are gender-blind. Hence, in policy review and program enhancements, the interwoven gender mainstreaming



interventions both for DAR implementers in LTI, PBD and AJD and the ARBs should be evident.

In LTI, policy review shall be prioritized on the identification of beneficiaries, generation of Certificates of Land Ownership Award (CLOAs), survey services, and other land acquisition and distribution processes.

In PBD, policy and program enhancements shall be focused on the access of men and women to support services, such as membership in ARB organizations, credit and microfinance, training, livelihood and enterprise development interventions, marketing assistance, basic social services, and physical infrastructure.

In AJD, policy enhancements shall ensure that women ARBs with legal concerns should be given equal attention by the DAR.

The DAR shall issue the GAD Mainstreaming Strategic Framework and Strategic Directions (for 2011-2014) containing all details in the implementation of this framework within sixty (60) days from the effectivity of this A.O.



## Appendix 5: Deed of donation

**DEED OF DONATION**

KNOW ALL MEN BY THESE PRESENTS:

The TICAO AGRO-INDUSTRIAL DEVELOPMENT, Inc., a corporation duly organized and existing pursuant to the laws of the Republic of the Philippines, with address at 353 P. Guevarra St., San Juan, Metro Manila, Philippines, duly represented herein by its Chairman and President, MATHEW O. TAN, and its Treasurer, Mrs. ELIZABETH F. HOW, (hereinafter referred to as the "TAIDI"), for and in consideration of its deep appreciation and love for SILLIMAN UNIVERSITY (hereinafter referred to as, "SU"), a non-stock, non-profit educational institution established and existing pursuant to the laws of the Republic of the Philippines, with address at Silliman University, Dumaguete, City, Philippines, duly represented by its President, BEN S. MALAYANG III, and in recognition of SU's commitment to quality Christian education, community service, and research, do hereby GIVE, GRANT and CONVEY, by way of donation, effective immediately, unto the aforesaid SU, the parcel of land, together with the improvements thereon, free from all liens and encumbrances, situated in Ticao Island, and which are more particularly described as follows:

A parcel of land (plan LL-7062, G.L.R.O. Record No. 10959) situated in the sitios of Tagdugan, Baladingan, Baggaumbal and Igjod, Barrios of Rizal and Pamosa, Municipality of San Jernito, Province of Masbate, Island of Ticao. Bounded on the NE, by Channel; on the E, by Tagdugan Bay; on the S, by Tagdugan River, Igjod River and properties of Graciano de Jumo, Gaspar Lignes, Tiburcio Sola, Andres Esparos, Saturnina Sola, Antonio Coloso and Eulalio Almoradie; and on the W, by properties of Jose Refuso, Lucas Gobilaguin, Fermin Villamor, Nicolas Deinla, Victorino Gobilaguin and Felipe Almoguera, containing an area of FOUR MILLION THREE HUNDRED FIFTY SIX THOUSAND TWO HUNDRED THIRTY SEVEN SQUARE METERS (4,356,237 SQ.M), or 435 hectares, more or less.

A parcel of land consisting of THREE HUNDRED FIFTEEN THOUSAND SQUARE METERS (315,000 SQ.M), or 31.5 hectares, more or less covered by Tax Declaration No. 0037 in the name of TAIDI,

of which parcel, TAIDI, is the sole owner in fee simple in accordance with the Land Registration Act, its title thereto being evidenced by Transfer Certificate of Title No. T-627, issued by the Register of Deeds of Masbate, Masbate.

TO HAVE AND TO HOLD for the sole and exclusive purpose of developing this property for the benefit of SU's programs, and subject to the following restrictions and limitations:

1. SU shall not sell or otherwise dispose of the donated properties.
2. SU shall name the donated properties in a manner that appropriately reflects its uses and honors MR. PAULINO L. HOW and his son FRANCIS XAVIER F. HOW, a Silliman alumnus.

For the purpose of giving full effect to this donation, it is hereby stated under oath that:

- a. This donation is not intended to defraud the donor's creditors.
- b. The donor has the full and unconditional consent, affirmation and confirmation of its respective stockholders and Board of Directors to this donation and has reserved for itself sufficient property and other sources of income.

M. L. S. 11/1/11

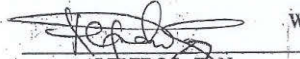

- c. Any tax on the property herein donated as such, or on the transfer of title thereof, incident to or as a consequence of this donation, shall be borne by SU.
- d. This parcel of land is exempted from the coverage of the Comprehensive Agrarian Reform Program and related laws.
- e. The donor understands that within eighteen (18) months from the date of signing of the donation, SU shall have prepared and produced a written development plan of the donated property, duly approved by its Board of Trustees. The plan shall include, among others, timetables of development, a risk management program, and a sustainability strategy. For the purpose of ensuring good governance and stewardship of the donated properties, the plan shall also include provisions for third party evaluation of the extent that the development of the donated properties has been achieved as intended in the plan, which third party, and schedule of evaluation, shall be mutually agreed by the donor and SU. The development plan shall reflect the donor's intention of promoting, directly or indirectly, their utilization for, and in support of, SU's academic, research, extension and related institutional and educational goals and purposes.
- f. Members of the How Family children, grandchildren, great grandchildren may visit the properties donated to SU with prior notice and as welcome guests of the university.

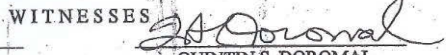
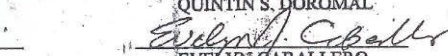
IN WITNESS WHEREOF, we have signed this Deed of Donation on this 30<sup>th</sup> day of April 2007, at Makati City, Metro Manila, Philippines

TICAO AGRI-INDUSTRIAL DEVELOPMENT, INC..

Donee  
By:   
MATHEW O. TAN  
Chairman & President

By:   
ELIZABETH F. HOW  
Treasurer

WITNESSES  
  
ALFRED O. TAN  
  
VERNA MARIE H. LI

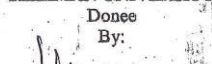
WITNESSES  
  
QUINTIN S. DOROMAL  
  
EVELYN CABALLERO

#### ACCEPTANCE OF DONATION

SU is sincerely grateful to TAIDI for its kindness and benevolence in giving to the university the properties described in the foregoing Deed of Donation. On behalf of SU and of its Board of Trustees, I hereby accept the same this 30<sup>th</sup> day of April 2007.

SU further undertakes that not more than thirty percent (30%) of any net income derived from the donated property shall be used for administrative purposes.

SILLIMAN UNIVERSITY

Donee  
By:   
BEN S. MALAYANG III  
President

WITNESSES:

  
FELIPE ANTONIO B. REMOLLO

  
ROSELYN G. DELOSO

  
ROMAN T. YAP

  
RICARDO A. BALBIDO, JR.

Source: SAMFAI



# Appendix 6: Sample title

Judicial Form No. 109-E  
(Revised May 1986)

Book 185  
Page 185

SN No. A- 034024 REPUBLIC OF THE PHILIPPINES  
MINISTRY OF JUSTICE  
NATIONAL LAND TITLES AND DEEDS REGISTRATION ADMINISTRATION  
REGISTRY OF DEEDS FOR THE PROVINCE OF ILOILO

## Original Certificate of Title

No. ED-2785

Entered in accordance with Presidential Decree Nos. 266 and 1529, pursuant to an EMANCIPATION PATENT issued by the Ministry of Agrarian Reform, at Quezon City, on the 23rd day of February, in the year nineteen hundred and Eighty Seven, and spread in the records of the said Ministry of Agrarian Reform, as follows:

"REPUBLIC OF THE PHILIPPINES  
MINISTRY OF AGRARIAN REFORM  
EMANCIPATION PATENT No. A-034024

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

WHEREAS, pursuant to the provisions of Presidential Decree No. 27, dated October 21, 1972, DECREED THE EMANCIPATION OF TENANTS FROM THE BONDAGE OF THE SOIL, TRANSFERRING TO THEM THE OWNERSHIP OF THE LAND THEY TILL AND PROVIDING THE INSTRUMENTS AND MECHANISM THEREFOR, a Certificate of Land Transfer was issued on August 4, 1973, unto CRISPIN M. DUGWELAN, covering a parcel of agricultural land, situated in the Barrio of Dugwelan, Province of Iloilo, Municipality of Banate, Philippines, containing an area of EIGHT HUNDRED FIFTY TWO ( 552 ) square meters, more or less, which is now more particularly bounded and described at the back hereof:

WHEREAS, it has been established that the herein grantee has fully complied with the requirements for the final grant of title under said Presidential Decree No. 27;

NOW, THEREFORE, KNOW YE, That by authority of the provisions of Presidential Decree No. 266, dated August 4, 1973, issued in relation to Presidential Decree No. 27, dated October 21, 1972, there is hereby granted unto the said Crispin M. Dugwelan, by legal age, married to Maria, Filipino, and a resident of Dugwelan, Banate, Iloilo

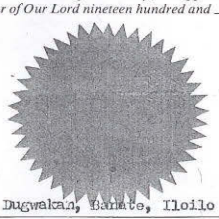
this EMANCIPATION PATENT covering the parcel of agricultural land herein described.

TO HAVE AND TO HOLD said parcel of agricultural land in absolute ownership, with all the rights and privileges appurtenant thereto, subject to the condition that it shall not be transferred except by hereditary succession or to the Government in accordance with the provisions of Presidential Decree No. 27, Code of Agrarian Reforms of the Philippines and other existing laws and regulations, and to the further conditions that the herein grantee shall remain a member of a duly-registered farmers' cooperative and that he shall not at any time employ tenants in the cultivation of the land.

Ownership over the parcel of agricultural land subject hereof has been originally recorded in the National Land Titles and Deeds Registration Administration and in the office of the Register of Deeds of Iloilo in the name of the herein grantee pursuant to a Certificate of Land Transfer numbered 034024.

IN TESTIMONY WHEREOF, and by authority vested upon me by law, I, CORAZON C. AQUINO, President of the Philippines, hereby caused these letters to be made patent and the seal of the Republic of the Philippines to be hereunto affixed.

Given at Quezon City, Philippines, on this 23rd day of February, in the year of Our Lord nineteen hundred and Eighty Seven.

  
Dugwelan, Banate, Iloilo  
(Owner's postal address)

CORAZON C. AQUINO  
President of the Philippines

By: HEHERSON T. ALVAREZ  
Minister of Agrarian Reform

Entered in the Registry of Deeds of Iloilo, pursuant to Section 2 of Presidential Decree No. 266 and Section 105 of Presidential Decree No. 1529, on this 28th day of Sept, nineteen hundred and Eighty Seven, at 9:21 AM.

Register of Deeds

\* State the civil status, name of spouse if married, age if a minor, citizenship and residence of the grantee.

NOTE: Original returned to FB - 3/14/09







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## About the Author



Cynthia Embido Bejeno (Ching) is a Filipino researcher and development practitioner working on social justice, feminism, women and people empowerment, agrarian and social movement, rural and sustainable development, governance and democratization, and climate justice. She used to work in various NGOs and POs and was actively involved with the social movement and political organiza-

tions in the Philippines. She believes in scholar-activism, which is why she got actively involved in the movement during her undergraduate years and she started development work right after obtaining her Bachelor of Arts in Sociology at the Polytechnic University of the Philippines.

Ching was involved in organizing peasants, women, and other marginalized groups that critically engaged the government to advance justice and various reforms, including land reform, women and people's empowerment, good gov-ernance, sustainable development, and climate justice. She was involved in and led various national organizations and development projects and actions in and with various groups and communities in the country and abroad.

To better understand development work, she pursued and obtained a Master of Arts in Community Development at the University of the Philippines. After more than a decade of direct development work and a broad range of roles in the social movement, she decided to pursue further studies abroad. In 2009, she was awarded a scholarship by the Joint Japan World Bank Scholarship Program (JJWBSP), which allowed her to obtain a Master of Arts in Development Studies at the International Institute of Social Studies (ISS) The Hague, the Netherlands, in 2010.

Not long afterwards, she started her PhD in Development Studies at the ISS, Erasmus University Rotterdam. Seeking to further advance the plight of the peasant women and men in the Philippines, she specifically studied the peasants' land struggles. Ching has presented her research and written about the peasants' plight and experiences in various conferences in many countries in Eu-rope, America, Asia, and Africa. Her PhD gave her the opportunity to be with colleagues and friends from all over the world. This

helped her gain more grounding that strengthened her critical perspectives, knowledge, and understanding of agrarian, women's issues, and broader development concerns. She also broadened her networks and developed various skills through the various roles she took on for the past few years, including research and teaching assistantships, and representation of the PhD community at the ISS (Research Development Committee and Institute Council) and Erasmus University (ESGH).

To balance her academic and professional work with her other interests and reflections, Ching actively involved herself in spiritual activities and various communities, including joining a choir, traveling in various places, meeting friends, learning photography, watching movies, exploring nature, volunteering, amongst others. She is a believer, which she believes is what keeps her optimistic and grounded. She also believes that a better world is possible. However, she holds that this requires a collective action, which emanates from the will to take action that begins with(in) oneself.





A woman wearing a light-colored long-sleeved shirt and a wide-brimmed straw hat is holding a large, heavy bundle of harvested rice stalks. She is standing in a lush green rice field under bright sunlight. The rice stalks are golden-brown and hang down, partially obscuring her face. Her right hand is visible, holding onto the bundle. The background shows more rice plants and a clear sky.

This study examines the persistence of gender injustice in land reform processes in the Philippines. Old and emerging land reform initiatives that exclude women from land ownership hampers the achievement of gender equality in the country. This unequal gender relations in land reform are not unique in the Philippines, since the broader and global land reform system remains largely dominated by men and male-biased perspectives. By employing a gender lens and equally accounting for the socio-cultural, political, and economic dimensions of the land reform struggle, this study demonstrates how integrating gender in the development agenda could contribute to the eradication of gender injustice in the Philippines and potentially elsewhere.

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